

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5036 of 2018

Arising Out of PS.Case No. -108 Year- 2017 Thana -KAKO District- JEHANABAD

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1. Rajesh Yadav,

2. Pintu Yadav

Both are Sons of Sri Krishna Mohan Yadav, Both are R/o Chanaura Tola
Mohan Bigha, P.S.- Kako, Distt.- Jehanabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tilak Sao

For the Opposite Party/s : Mr. Sri Anant Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN
PRASAD

ORAL ORDER

3 15-02-2018 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State as well as learned
counsel representing the informant.

The petitioners, in the present case, are seeking
anticipatory bail in connection with Kako P.S. Case No.108 of
2017 registered for the offences punishable under Sections 147,
148, 149, 341, 326, 307, 302 and 120B of the Indian Penal Code
and Section 27 of the Arms Act.

Learned counsel for the petitioners submits that
though there are allegations of assault against these petitioners, but
the injuries found on the head of the informant are attributed to the
other accused persons. Learned counsel submits that in the present



case considering the fact that the injuries on the vital part of the body of the informant was not caused by them, they may be granted privilege of anticipatory bail.

On the other hand, learned counsel representing the informant as well as learned APP for the State submit that there are specific allegations of assault against these petitioners and the petitioner nos.1 and 2 have got criminal history as well which will be evident from the statements made in paragraph 3 of the application.

In the facts and circumstances of the case where there are allegations of assault against these petitioners and particularly that a number of cases have been shown to be pending against them and they are being the man having criminal antecedent, I am not inclined to grant anticipatory bail to the petitioners.

The application is dismissed.

(Rajeev Ranjan Prasad, J)

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