

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69995 of 2018

Arising Out of PS. Case No.-278 Year-2016 Thana- SAUR BAZAR District- Saharsa

1. Ganesh Yadav, Son of Awadh Yadav @ Awadh Narayan Yadav.
2. Raj Kumar Yadav, Son of Ganesh Yadav.
3. Sintu Yadav, Son of Ganesh Yadav.
4. Awadh Narayan Yadav @ Awadh Yadav, Son of Late Bhikha Yadav, All Resident of Village-Bar Singha, P.S.-Sour Bazar (Patarghat OP) District-Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh

For the Opposite Party/s : Mr. Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-12-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 307, 323, 504 and 506 of the Indian Penal Code.

The prosecution case, as per the fardbeyan of Bande Lal Mehta, recorded by ASI Amar Kumar Singh on 15.07.2016, is to the effect that on 14.07.2016 at 7.00 P.M., the informant was feeding his cattle, in the meantime, 9 FIR named accused persons along with 10-15 unknown persons came, variously armed and on the order of co-accused Jaykant Yadav, co-



accused Bhupendra Yadav resorted to fire on the informant, as a result, the informant fell down. Thereafter, all the accused persons tried to kidnap the informant when the informant raised alarm all the neighbouring people came and all the accused persons fled away from the scene.

It is submitted by learned counsel for the petitioners that the specific accusation of assault is against co-accused Bhupendra Yadav and Jaykant Yadav. It is further submitted that the accusation of assault by the petitioners is omnibus and general. A statement has been made in paragraph no.3 of the petition that petitioner no. 1 and 4 have also been made accused in one other case in which they have been granted bail. So far as petitioner nos. 2 and 3 are concerned, they are not having any criminal antecedent.

It is submitted by learned APP for the State that the petitioners are named in the FIR and there is specific accusation against them.

Considering the fact that the specific accusation of assault is against co-accused Bhupendra Yadav and Jaykant Yadav, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on



furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned **CJM, Saharsa** in connection with **Sour Bazar (Patraghat O.P) P.S. Case No. 278 of 2016** subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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