

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12899 of 2018

Arising Out of PS.Case No. -238 Year- 2017 Thana -SAUR BAZAR District- SAHARSA

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1. Buchcho Yadav S/o Late Kamal Yadav,
2. Bimla Devi W/o Buchcho Yadav,
3. Dhano Yadav S/o-Buchcho Yadav.
4. Sama Yadav S/o-Gajen Yadav,
5. Manik Yadav S/o-Gajen Yadav
6. Gajen Yadav S/o Kamal Yadav,
7. Khushbu devi W/o-Sama Yadav, All Resident of Village-Kapsiya, P.S. Sour Bazar (Patarghat O.P.), District-Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 03-04-2018 The learned counsel for the petitioners submits that petitioners no.3 and 6 have already been arrested and, as such, he seeks permission to withdraw this application on their behalf.

The application for anticipatory on behalf of petitioners no.3 and 6 stands dismissed as withdrawn.

Rest petitioners apprehend their arrest in Sour Bazar (Patarghat O.P.) P.S. Case No.238 of 2017 for the offences under Sections 147, 148, 149, 341, 323, 379, 307, 448, 504 and 506 of the I.P.C.

Allegation against the petitioners is of assaulting the informant and other persons and specific allegation of assault is



against Sama Yadav by khanti on the head of Biren Yadav as a result of which he fell down.

Learned counsel for the petitioners submits that they have been falsely implicated in this case and injuries are found to be simple and also injury on Biren Yadav is said to be simple in nature. There is case and counter case between the parties.

Heard learned A.P.P. also and opposed the prayer for anticipatory bail of the petitioners.

Having heard both sides and in view of the facts and circumstances of the case and from the impugned order it appears that there is allegation of assault against petitioner no.4, as such, and the prayer for anticipatory bail of petitioner no.4 is rejected. So far prayer for anticipatory bail of petitioners no.1,2, 5 and 7 is concerned, their prayer is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks from today, be released on bail on furnishing bail bonds of Rs.25,000/- each with two sureties of the like amount each to the satisfaction C.J.M., Saharsa, in Sour Bazar (Patarghat O.P.) P.S. Case No.238 of 2017 subject to the conditions as laid down under Section 438(2) of Cr.P.C. and further conditions that their bailors must be of local having sufficient immovable property within the jurisdiction of the Court



and the petitioner shall cooperate in the investigation.

With the aforesaid, this application is disposed of.

(Vinod Kumar Sinha, J)

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