

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25149 of 2018

Arising Out of PS.Case No. -282 Year- 2017 Thana -SONO District- JAMUI

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1. Prem Yadav, Son of Late Gopal Yadav.
 2. Lala Yadav, Son of Permeshwar Yadav.
 3. Sakal Yadav @ Sajaldeo Yadav @ Sabal Yadav, Son of Jiwan Yadav.
 4. Titu Yadav, Son of Guru Sahay Yadav.
 5. Bisun Yadav, Son of Late Lakho Yadav.
- All R/o Vill.-Mahugay, P.S.-Sono, Distt.-Jamui.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Awadhesh Ram, Son of Yugal Kishore Ram, Resident of Village-Mahugay, Police-Sono, District-Jamui.

.... Opposite Party/s

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Appearance :

For the Petitioners:Mr. Akhauri Kamal Kishore Sahay, Adv.

For the Opposite Party/s:Mr. Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 03-05-2018 The petitioners seek bail in anticipation of their arrest in connection with Sono P.S. Case No. 282 of 2017, dated 15.11.2017, instituted for the offences punishable under Sections 147, 148, 149, 323, 324, 354, 307, 380, 442, 452 and 504/34 of the Indian Penal Code.

The petitioners and many others are said to have



entered the house of the complainant/informant and inflicted injuries on some of the persons. The cause of the occurrence is stated to be the grazing of crops of the complainant/informant by the cattle of the accused persons. The petitioners deny of their having participated in the occurrence. Even though an allegation has been raised against petitioner No. 1 of inflicting knife blow on the person of Yugul Kishore, he is reported to have received simple injuries in the nature of pain and swelling in his left forearm and hand which is opined to have been caused by hard and blunt substance. The other persons who have been injured are Mithlesh Ram, who also had complained of pain and swelling over his left shoulder, whereas on the person of Awadhesh Ram (opposite party No. 2), the doctor, attending upon him, found one lacerated wound over the left parietal region. The injury on his person has been opined to be in the nature of a hair-line fracture on the vertex parietal region.

From the First Information Report, it is not clear as to who assaulted Awadhesh Ram referred to above. Some of the other accused persons have been granted the privilege of anticipatory bail by the learned Sessions Judge, Jamui.

Learned counsel for the petitioners has submitted that the names of the petitioners have been given in the First Information Report only to feed fat the old grudge. It has



also been submitted that for an occurrence which took place on 27.08.2017, the complaint was instituted on 06.09.2017. No explanation also has been offered for such late lodging of the complaint which ultimately was sent under Section 156(3) of the Code of Criminal Procedure, 1973, whereafter the First Information Report, in question, was registered.

Considering the aforesaid facts as also taking into account that the petitioners do not have any criminal antecedent, they are directed to be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on their furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Jamui in connection with Sono P.S. Case No. 282 of 2017.

(Ashutosh Kumar, J)

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