

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26120 of 2018

Arising Out of PS.Case No. -231 Year- 2017 Thana -BHARGAWAN District- ARRARIA

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1. Surendra Yadav @ Surendra Prasad, son of Late Chhedi Yadav,
2. Balen Yadav, son of Late Chhedi Yadav
3. Bhushan Yadav, S/o Surendra Yadav @ Surendra Prasad,
4. Rupesh Yadav, son of Ganesh Yadav,
5. Obesh @ Abhesh Yadav, son of Ganesh Yadav, All are Resident of Village- Sirsiya Kala, P.S.- Bhargama, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. B.N.Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 07-05-2018 Heard both sides.

The petitioners apprehend their arrest in Bhargama P.S. Case No.231 of 2017 registered under Sections 307, 353, 147, 148, 149, 341, 323, 427, 504 of the Indian Penal Code.

The informant, a police officer alleged that while Surendra Yadav and Ganesh Yadav along with others were assaulting Most. Ramawati, the informant intervened to pacify the matter but Surendra Yadav ordered to assault and set ablaze the vehicle of the informant.

The learned counsel for the petitioners submits that informant got scratch injury. Ramawati did not get any injury.



It appears that Surendra Yadav is said to have exhorted on such, Surendra Yadav and others assaulted the informant when the informant intervened to pacify the matter.

In view of the nature of allegation made against Surendra Yadav, I am not inclined to enlarge the petitioner No.1, Surendra Yadav on anticipatory bail. Accordingly, the same is rejected.

So far as the case of petitioner Nos.2 to 5 is concerned, there is no specific allegation of assault against the petitioner Nos.2 to 5.

Considering the facts aforesaid, the petitioner Nos.2 to 5, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order are directed to be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Bhargama P.S. Case No.231 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Saurabh/-

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(Prabhat Kumar Jha, J)

