

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31724 of 2018

Arising Out of PS. Case No.-114 Year-2018 Thana- DUMRAUN District- Buxar

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1. Kanhaya Yadav @ Kanhaiya Yadav.
 2. Jiuat Yadav.
 3. Raju Yadav.
All sons of Baban Yadav.
 4. Baban Yadav, son of Late Ram Janam Yadav.
All Resident of Village- Pratap Sagar, Police Station- Dumraon
(Naya Bhojpur O.P.), District- Buxar.

... .. Petitioners,

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioners	:	Mr.
For the State	:	Mr.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 13-06-2018 At the very outset, learned counsel for the petitioners submits that the petitioner nos.1, 3 and 4, above named, have already been arrested by the police in this case and seeks permission to withdraw this application in their respect.

Permission is accorded.

This application in respect of the petitioner nos.1, 3 and 4, above named, is dismissed as withdrawn.

Now, only the prayer of the petitioner no.2 Jiuat Yadav for grant of anticipation bail is being considered.

Heard.

The petitioner no.2 Jiuat Yadav apprehends his arrest



in connection with Dumaron (Naya Bhojpur O.P.) P.S. Case No.114 of 2018 registered under Sections 147, 148, 149, 323, 504 and 380 of the Indian Penal Code.

The accusation is that in the morning of 31.03.2018 at about 06.00 A.M., the petitioner no.2 Jiuat Yadav along with Kanhaiya Yadav (petitioner no.1), Mishri Yadav and Raju Yadav (petitioner no.3) having Garasi, lathi and gun in their hands came at the house of the informant and started to abuse. At that time, Baban Yadav, Kanhaiya Yadav and Raju Yadav started to cause assault to the informant with spade, Garasi and butt of the gun respectively, due to which the informant sustained injuries on his chest, head, stomach and other parts of the body. Thereafter, they entered the house of the informant and after breaking the lock of the box, Raju Yadav (petitioner no.3) and Jiuat Yadav (petitioner no.2) took gold ornaments and cash Rs.15000/- from the box.

Learned counsel for the petitioners submits that while the petitioner no.2 is named in the F.I.R. along with others but no specific overt act is attributed against him. The specific allegation of causing injury to the informant is against Baban Yadav, Kanhaiya Yadav and Raju Yadav.

Having considered the facts and the circumstances of



the case, let the petitioner no.2 Jiuat Yadav, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Buxar, in connection with Dumraon (Naya Bhojpur O.P.) P.S. Case No.114 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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