

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56410 of 2018

Arising Out of PS. Case No.-90 Year-2017 Thana- BHARGAMA District- Araria

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1. Shiv Nandan Yadav @ Shiv Nand Yadav,
 2. Satto Yadav @ Satya Narayan Yadav @ Satya Nr. Yadav, Both are Sons of Dhanilal Yadav, R/o vill.- Bhatgama, P.S.- Bhargama, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhijeet Gautam
For the Opposite Party/s : Mr. Sri Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 12-10-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 147, 148, 149, 341, 323, 324, 325, 427, 307, 307 and 379 of the Indian Penal Code.

The prosecution case, in short, is that the accused persons variously armed came to the house of the informant and threatened not construct the house. They further assaulted nephew of the informant due to which he sustained injury.

It has been submitted on behalf of the petitioners that there is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. There is a case and counter case between the



parties. The injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands. The nature of injury is said to be simple. Hence, no offence under Section 307 IPC is made out.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds 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. 90/17, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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