

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19684 of 2018

Arising Out of PS. Case No.-266 Year-2017 Thana- CHAINPUR District- Bhabhua (Kaimur)

1. Bullu Yadav
2. Amar Yadav@ Amar Nath Yadav, Both are Sons of Ram Dahin Yadav, Both Residents of Village- Karkat Gardh, P.S.- Chainpur, District-kaimur at Bhabua(Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh

For the Opposite Party/s : Smt. Anusuiya Jaiswal

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-04-2018

Heard learned counsels for the petitioners and State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 307 and 504/34 of the IPC.

The prosecution case, as per the written report of Bablu Yadav dated 16.10.2017, submitted to the Station House Officer, Chainpur Police Station, is to the effect that on 16.10.2017 at 9 A.M., 9 accused persons including the petitioners came with their animals and allowed them to graze the paddy crop of the informant and when the informant protested, he was abused. It is alleged that petitioners assaulted with axe on the head of the brother of the informant, Ram Vilas, when the informant came to rescue his brother, then the petitioner no.1, Bablu Yadav



assaulted him with lathi.

It is submitted by learned counsel for the petitioners that in the background of petty dispute, the accusation has been levelled. Babubandar Yadav, the brother of the petitioners lodged Chainpur P.S.Case No. 265 of 2017 on 16.10.2017 at 4.30 P.M., with accusation under Sections 341, 323, 307 and 504/34 of the IPC whereas the present case has been lodged on 16.10.2017 at 9.30 P.M., more than 12 hours after the occurrence. The injury report of the brother of the informant suggests simple injury, though, on the head, caused by hard and blunt substance. A statement has been made in para 3 of the petition that petitioners are not having any criminal antecedent.

Learned APP submits that specific accusation of assault has been levelled against the petitioners.

Considering the background in which the occurrence took place and the case lodged by the petitioners' side at earlier point of time, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned ACJM-II, Kaimur at Bhabua in connection with



Chainpur P.S. Case No. 266 of 2017, subject to the condition as
laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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