

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6248 of 2018

Arising Out of PS. Case No.-126 Year-2017 Thana- ARWAL District- Jehanabad

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1. Tuntun Yadav @ Prince Kumar, Son of Vinay Yadav.
2. Vinay Yadav, Son of Yogendra Yadav. Both are Resident of Village-
Rojapar, P.S.-Arwal, District- Arwal.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh
For the Opposite Party/s : Mr. NARSINGH TANTI

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-02-2018 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, 325, 307 and 427/34 of the IPC.

The prosecution case, as per the written report of Ram Kishor Verma dated 03.07.2017, submitted to the Station House Officer, Arwal Police Station is to the effect that on 03.07.2017 at about 11.20 AM, the informant was sitting in his shop with his son, in the meantime, petitioner no.1, Tuntun Yadav came at the shop of the informant and broke the front glass, as a result of which, he received injury on both hands. Thereafter, the informant along with his son went to the house of petitioner no.1, Tuntun Yadav, but there, they were assaulted by petitioner



no.2, Vinay Yadav, co-accused Satyaprakash Yadav, Mritunjay Kumar and Dhananjay Yadav, thereafter, all the accused persons chased the informant and his son to his house, where co-accused Satyaprakash Yadav and Mritunjay Kumar resorted to firing.

It is submitted by learned counsel for the petitioners that at earlier point of time, petitioner no.1, Tuntun Kumar lodged Arwal P.S. Case No. 125 of 2017 with accusation under Sections 341, 323, 307 and 504/34 of the IPC against the informant's side. The informant received only one simple injury on his palm. The informant has subsequently retracted from his initial version and filed a petition to that effect before the learned Court below. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that there is specific accusation of assault against the petitioners.

Considering the nature of accusation and the case lodged by the petitioners' side at earlier point of time, coupled with the retracted version of the informant, 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 Chief Judicial Magistrate, Arwal in connection with Arwal P.S. Case No. 126 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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