

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.20014 of 2018**

Arising Out of PS. Case No.-378 Year-2017 Thana- JHAJHA District- Jamui

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1. Jaldhar Yadav,
  2. Kishun Yadav, Both are Sons of Kailu Yadav, R/o Baijala, P.S.- Jhajha, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Satya Prakash Parasar

For the Opposite Party/s : Mr. Sri Akshay Lal Pandit

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      09-04-2018                      Heard learned counsels for the petitioners and State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 307, 379 and 504 of the IPC.

The prosecution case, as per the written report of Ram Lal Yadav submitted to the Station House Officer, Jhajha Police Station is to the effect that on 13.11.2017, at 4 P.M., the informant was going to watch his crop when he found that the animals of the petitioners were grazing the crop of the informant, hence he drove out the animals from the crop field. In the meantime, petitioner no.1, Jaldhar Yadav came and started abusing for beating the animals, when the informant protested then petitioner no.1, Jaldhar Yadav called his family



members and consequently, petitioner no.2, Kishun Yadav, co-accused, Raj Kumar Yadav, Kailu Yadav, Maniyar Yadav, Chinta Devi and Sita Devi came to the house of the informant armed with lathi, danda and iron rod whereupon petitioner no.2, Kishun Yadav assaulted with iron rod on the head of the informant causing bleeding injury and petitioner no.1, Jalandhar Yadav assaulted with lathi causing fracture of left hand.

It is submitted by learned counsel for the petitioners that the petitioners are the agnates of the informant and in the background of grazing of crop by the animals, the occurrence took place. There is counter version of the occurrence also being Jhajha P.S. Case No. 377 of 2017, registered under Sections 147, 149, 341, 323, 324, 307 and 504 of the IPC. Though, the injury on the left hand of the informant has been found grievous, which is alleged to have been caused by petitioner no.2, Kishun Yadav, but there is no accusation of repeating blow, whereas several persons from the petitioners' side have also received injuries. 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 the accusation is specific against the petitioners.



Considering the genesis of the occurrence, relating to grazing of crop by the animals of the petitioners' side, there is no accusation of repeating blow and only one grievous injury has been found on the non-vital part of the body 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 SDJM, Jamui in connection with Jhajha P.S. Case No. 378 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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