

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.64346 of 2018

- =====
1. Jogi Yadav, S/O Late Badri Yadav.
 2. Rajgeer Yadav @ Rajgeer Kumar, S/O Jogi Yadav. Both R/V- Jaylakh, P.S. Bakhari, District- Begusarai.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Manoj Kumar, Advocate.

For the Opposite Party : Mr. Dr. Kumar Uday Pratap, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-10-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 447, 448, 341, 323, 504,
506 and 307/34 of the IPC.

The prosecution story, in brief, is that the petitioners
and others started altercation with daughter of informant while she
was going to natural call. Dilip Yadav, son of the informant
Nirmala Devi, was coming from house, they saw him and started
assaulting. All family members of petitioner no. 1 Jogi Yadav and
others assaulted the younger son of the informant and caused head
injury. They threatened that his son-in-law Raj Kumar Yadav will
come and kill all of them. His son-in-law has committed an
offence of murder in Village- Sihma in near past.



It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. It is case and counter case between the parties. Both parties are neighbours. The alleged occurrence has taken place due to petty reason. Injury on the side of accused has not been explained by the prosecution. The prosecution has not come with clean hands.

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

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or 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 the learned C.J.M. Begusarai, in connection with Bakhari P.S. Case No. 38/18, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

