

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57856 of 2018

Arising Out of PS. Case No.-10 Year-2018 Thana- SIGAUDI District- Patna

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1. Chappitar Yadav, Son of Late Deodhari Yadav,
 2. Vijay Lal @ Ram Vijay Yadav, Son of Chappitar Yadav.
- Both residents of Village- Gowari, P.S.- Sigori, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shakti Suman Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-09-2018 Heard learned counsels for the petitioners and State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307 and 354 of the IPC and Section 27 of the Arms Act.

The prosecution case, as per the written report of Sunaina Devi, dated 12.03.2018 submitted before the S.H.O., Sigori P.S., is to the effect that due to the construction of a public road in front of the house of the informant, 21 accused persons including the petitioners came variously armed, when on hearing the sound of hot exchange of words, the father-in-law of the informant, Sudeshwar Yadav, came out of his house and when he enquired, the accused persons started assaulting the father-in-law of the informant. Thereafter, co-accused Ghosu



Yadav caused firearm injury on the left arm of the father-in-law of the informant. It was further alleged that the accused persons also entered into the house of the informant and tried to outrage her modesty.

It is submitted by the learned counsel for the petitioners that the accusation is omnibus and general in nature. The specific accusation is only against the co-accused Ghosu Yadav and the injury report has not been brought on record which gets reflected from the impugned order. There is a counter version of the occurrence also, being Sigori P.S. Case No. 11 of 2018, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 379, 307, 302 and 504 of the I.P.C.

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

Considering the fact that the specific allegation of causing firearm injury to the father-in-law of the informant is against the co-accused Ghosu Yadav, coupled with the statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, 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 A.C.J.M.-V, Danapur, Patna, in connection with Sigori P.S. Case No. 10 of 2018, 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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