

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72448 of 2018

Arising Out of PS. Case No.-16 Year-2018 Thana- BAHADURPUR District- Darbhanga

1. Mahesh Yadav Son of Palat Yadav.
2. Sandeep Yadav Son of Sheo Tahal Yadav, Both are Resident of Village-Ghorghatta, P.S.-Bahadurpur (Fekla O.P.), District-Darbhangha.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shambhu Nath Jha

For the Opposite Party/s : Mr. Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 05-12-2018 Counsel for the petitioners is permitted to make necessary correction in paragraph 3 of the application in course of the day.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 447, 341, 342, 504, 506, 307, 379/34 of the Indian Penal Code.

Allegation is that the accused persons including the petitioners assaulted the informant by means of lathi, danda, garasa, fist and kick, due to which he sustained injuries.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against



the petitioner. The petitioner has falsely been implicated in the present case. It is a case and counter case between the parties. The nature of injury is said to be simple. Hence, no offence under Section 307 of the I.P.C. is made out. Rest of the offences are triable by the Magistrate.

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/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) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Bahadurpur (Fekla O.P.) P.S. case No.16 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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