

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21950 of 2018

Arising Out of PS.Case No. -403 Year- 2017 Thana -PUNPUN District- PATNA

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1. Ramashray Yadav, Son of Late Murat Yadav,
2. Srikant Yadav @ Fudan Yadav @ Kundan Yadav S/o Sri Ramashray
Yadav Both Resident of Village-Potahi, P.S.-Punpun, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Anand, Adv

For the Opposite Party/s : Mr. Sri Matloob Rab, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 19-04-2018 Heard learned counsel for the petitioners and
learned APP for the State.

Petitioners seek bail in a case registered for
the offences punishable under Sections 147, 148, 149, 341,
323, 307, 302, 504 of the Indian Penal Code.

According to FIR, 10 persons including the
petitioners allegedly assaulted with Lathi etc to the father of
the informant, as a result whereof, he died while being
carried to the hospital.

Submission is that the informant is not an
eye witness of the occurrence. He has disclosed name of the
petitioner on the basis of disclosure by his father. The
postmortem report would reveal that only abrasion and
bruises were found by the Doctor. Petitioner No.1 is aged
about 73 years. Petitioner No.2 is son of petitioner No.1, who
has been falsely implicated due to village politics and land



dispute.

Learned counsel for the informant opposed the prayer for bail on the ground that the Doctor has found fracture of right rib and rupture of right lungs. As such, this is a case of brutal assault.

Petitioners are in custody since 15.12.2017. Investigation of the case is complete. The allegation is general and omnibus.

Considering the aforesaid facts, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand)each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Punpun Police Station Case No.403 of 2017, subject to the condition that the petitioners shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(Birendra Kumar, J)

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