

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6569 of 2019

Arising Out of PS. Case No.-186 Year-2018 Thana- KASBA District- Purnia

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1. Ganesh Yadav, aged about 57 years, Male, Son of Late Rameshwar Yadav.
 2. Ashok Yadav @ Ashok Kumar Yadav, aged about 38 years, Male, S/o Late Rameshwar Yadav.
 3. Sharban Yadav @ Sarban Yadav, aged about 42 years, Male, S/o Late Jagdeo Yadav.
 4. Rosan Yadav @ Roshan Kumar Yadav, aged about 18 years, Male, S/o Sharban Yadav @ Sarban Yadav.
 5. Nirmal Yadav @ Nirmal Kumar Yadav, aged about 20 years, Male, S/o Sharban Yadav @ Sarban Yadav.
 6. Niraj Yadav, aged about 18 years, Male, S/o Ganesh Yadav. All residents of village-Baneli, P.S-Kasba, Distt.-Purnea.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Ram Prawesh Kumar, Advocate.
For the Opposite Party : Mr.Dr.Mrityunjaya Kr.Gautam, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-02-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 147, 341, 323, 307, 379, 504 and 506 of the IPC.

The prosecution story, in brief, is that on 10.07.2018 at about 1.30 P.M., the informant got measurement of his land through government Amin. In the meantime, these petitioners forming an unlawful assembly having *Lathi-Danda* and fire arms came and started assaulting the informant. 15 to 20



unknown persons were also present there with the accused persons. Accused persons with intention to kill the informant assaulted by *Lathi* due to which, informant sustained bleeding injury on his head. Brothers of the informant, namely, Bablu Yadav, Dabbu Yadav, Pinku Yadav, Rinku Yadav, nephew Ama Yadav came to save him then accused persons also assaulted them and took Rs. 10,000/- from his pocket.

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. Nature of injury is said to be simple. No offence under Section 307 of the IPC is made out. Rests of the offences are triable by the Magistrate.

On behalf of the learned counsel for the State, it has been 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.,



Purnea, in connection with Kasba P.S. Case No. 186 of 2018,
subject to the conditions as laid down under Section 438(2)
of the Code of Criminal Procedure.

(Sudhir Singh, J)

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