

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8376 of 2019

Arising Out of PS. Case No.-312 Year-2018 Thana- HISUWA District- Nawada

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1. SAKALDEO YADAV, Son of Late Jageshwar Yadav
 2. Ram Pravesh Yadav @ Bhagat Ji @ Ram Pravesh Rai, Son of Thanu Yadav
- Both are residents of Village - Chitarghati, P.S.- Hisua, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad

For the Opposite Party/s : Mr.Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 13-02-2019 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Hisua Police Station Case No. 312 of 2018, disclosing offences under Sections 147, 148, 323, 354, 504, 506, 379 and 307 of the Indian Penal Code.

Learned Counsel appearing on behalf of the petitioners has submitted that there is allegation of assault made with the pistol without opening fire, which indicates that the ingredient of intention to kill is absent. He also submits that the injuries have been found to be simple in nature.

Considering the above submission, this application is allowed.



Let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada, in connection with Hisua Police Station Case No. 312 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

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