

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16164 of 2019**

Arising Out of PS. Case No.-271 Year-2018 Thana- VISHNUPAD District- Gaya

1. Deepak Yadav, Son of Butu Yadav
2. Shashi Yadav, Son of Sukhu Yadav
3. Chhotu Yadav, Son of Sukhu Yadav
All Resident of Village - Maranpur, P.S.- Vishnupad, Dist. - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh
For the Opposite Party/s : Mr. Anant Kumar 1

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 15-03-2019 Heard learned Counsels for the petitioners and
learned APP for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 307, 504 and 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case as per the written report of Lalu Yadav submitted to SHO, Vishnupad Police Station is to the effect that on 15.12.2018 at about 10.30 A.M., the informant was going from his house to Cherki Bazar, but on the way, near the hotel of Sukhu Yadav, he saw that Sukhu Yadav and others were fighting. Thereafter, the informant, Pappu Yadav and



Bhagwat Yadav tried to pacify the issue then Sukhu Yadav and the petitioners namely, Deepak Yadav, Shashi Yadav and Chhotu Yadav started assaulting the informant and two other persons with lathi and danda. It is further alleged that Shashi Yuadav (petitioner no.2) and Deepak Yadav (petitioner no.1) resorted to fire.

It is submitted by learned counsel for the petitioners that the accusation against the petitioners are omnibus and general and injuries have been found caused by hard and blunt substances, simple in nature, however reports of some injuries are still awaited. It is further submitted that the accusation has been levelled on the background of previous land dispute and there is counter version of the occurrence being, Vishnupad P.S. Case No.272 of 2018. A statement has been made in paragraph no. 3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by learned APP for the State that there is specific accusation of assault against the petitioners.

Considering the fact that injuries have been found simple superficial in nature, coupled with 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 or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned **CJM, Gaya** in connection with **Vishnupad P.S. Case No.271 of 2018**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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