

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25621 of 2019

Arising Out of PS. Case No.-370 Year-2018 Thana- RAJAON District- Banka

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1. AKIL YADAV @AKLI YADAV Son of Gulabi Yadav
 2. Roshan Yadav @ Ruso Yadav @ Ruso Son of Gulabi Yadav
 3. Mukesh Yadav Son of Akil Yadav @ Akli Yadav
 4. Anil Yadav Son of Akil Yadav @ Akli Yadav
 5. Budho Yadav
 6. Pitamber Yadav
 7. Sikandra Yadav @ Sikendar Yadav
petitioner No. 5 to 7 son of Roshan Yadav @ Ruso Yadav @ Ruso
 8. Mancho Devi Wife of Mukesh Yadav
petitioner No. 1 to 8 Resident of Village - Bharba, P.S.- Rajoun,
Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey

For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 19-07-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioner apprehend their arrest in connection with
Rajoun P.S. Case No. 370/2018 registered for the offence
punishable under Sections 147/149/341/323/337/307/504 of the
Indian Penal Code.

Learned counsel for the petitioners submits that, save
and except the petitioner No. 1, the charge of overtact does not
stand substantiated by the injury which is purported to have been
inflicted. The other petitioners are not having any role to play so
as to attract the provisions of Section 307 of the I.P.C. Learned



counsel for the petitioner submits that there is case and counter case with injuries inflicted on both sides.

Diary in the present case has been called for which has since been received.

Learned counsel for the State submits that though there is specific allegation against the Akil Yadav @ Akli Yadav, but there is no injury on record in the case diary. So far as the other petitioners are concerned, there is no specific overtact alleged against them.

Considering the aforementioned facts and circumstances and there is case and counter case between the parties and both the parties are agnates and also the fact that the petitioners are having no criminal antecedents, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Rajoun P.S. Case No. 370/2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Anjana Mishra, J)

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