

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33242 of 2019

Arising Out of PS. Case No.-125 Year-2018 Thana- DHURAIYA District- Banka

1. LAKHAN YADAV Son of Late Lachu Yadav Resident of Village -
Dhoraiya, P.S.- Dhoraiya, District- Banka
2. Dinesh Yadav Son of Late Ramswaroop Yadav Resident of Village -
Dhoraiya, P.S.- Dhoraiya, District- Banka

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vibhakar Kumar

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 05-09-2019 Heard learned counsel for the parties.

The petitioners are apprehending their arrest in connection with Dhoraiya P.S.Case no.125 of 2018 registered for offences punishable under Sections 341, 323, 504, 506 and 34 of the Indian Penal Code.

Allegation against the petitioners is of assault to the informant and others and the specific allegation is against the petitioner no.2.

Submission of the learned counsel for the petitioners is that there is no specific allegation against the petition no.1 and so far petitioner no.2 is concerned, the injury is simple in nature. Petitioners have already taken benefit of Section 41(A) of the



Cr.P.C. and they have not misused the privilege of the same.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners surrender before the learned court below and pray for regular bail, which will be considered by the learned court below on the basis of materials and also considering the fact that they were on police bail and they have not misused the privilege of bail and considering the same he will dispose of their application if possible on the same day.

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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