

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68301 of 2018

Arising Out of PS. Case No.-451 Year-2018 Thana- JAHANABAD District- Jehanabad

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1. Sanjay Yadav, Son of Ramdeo Yadav,
 2. Chhotani Yadav, Son of Ramnath Yadav,
 3. Pintu Yadav,
 4. Lalendra Yadav,
- Both Sons of Nageshwar Yadav @ Nago Yadav, All are residents of Village-
Sangatpar, Bhabhana, P.S.- Jehanabad, District- Jehanabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ras Bihari Thakur

For the Opposite Party/s : Mr. Nityanand Tiwari, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 15-01-2019 Heard learned counsel for the petitioners and learned APP
for the State.

Earlier, vide order dated 14.12.2018, the application in
respect of petitioner no. 1 has already been withdrawn.

The petitioner nos. 2 to 4 are apprehending their arrest in a
case registered under Sections 302, 379/34 of the Indian Penal Code.

The prosecution case, in short, is that on a trivial issue, an
altercation took place in which the accused persons dashed the
mother of the informant due to which she fell down in a ditch and
sustained injuries and later succumbed to the injuries.

It has been submitted on behalf of the petitioner nos. 2 to 4
that the petitioners have got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the petitioner



nos. 2 to 4. The petitioner nos. 2 to 4 have been made accused due to mistake of fact. General and omnibus allegation has been made against the petitioner nos. 2 to 4. As per F.I.R., the allegation of assault is alleged in the present case but in the post-mortem report, there is no external injury on the body of the deceased. The main allegation is against Nago Yadav.

On behalf of the State, it is submitted that the petitioner nos. 2 to 4 are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioner nos. 2 to 4, above named, in the event of arrest/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 learned Chief Judicial Magistrate, Jehanabad in connection with Jehanabad P.S. Case No. 451 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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