

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65121 of 2018

Arising Out of PS. Case No.-317 Year-2018 Thana- GRIYAK District- Nalanda

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1. Bijo Yadav.
 2. Jeetu @ Jeeto Yadav, Both are sons of Rupa Yadav, R/o Village- Giriyak P.S.- Giriyak Nalanda, Distt- Nalanda.
 3. Neeraj Yadav @ Neeraj Kumar, Son of Sanjay Yadav, R/o Satata Par Roh Distt- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumari Sujata Sinha, Advocate.
For the Opposite Party/s : Mr.Dr. Indiwari Kumari, APP.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 01-02-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Giriyak P.S. Case No. 317 of 2018 registered under Sections 341, 323, 307, 504 and 506/34 of the Indian Penal Code, Section 27 of the Arms Act and Section 37© of the Bihar Excise Act, 2016.

The accusation of informant, Sabo Devi, is that, in the evening of 21.08.2018, relative of Rupa Yadav dashed through tractor to her son, Sagar Yadav, due to which, he received swelling injury at his leg. Thereafter, she went at the house of Rupa Yadav to make complaint. In the meantime, Bijo



Yadav, Aajo Yadav and Jito Yadav, all sons of Rupa Yadav, came at her door having lathi and danda and started to cause assault to her son, Sagar Yadav and Rupa Yadav also came behind them and open fired with intention to kill her son but anyhow her son saved himself.

Learned counsel for the petitioners submits that petitioner nos. 1 and 2 are sons and petitioner no. 3 is relative of Rupa Yadav, while allegation has been made against petitioner no. 3 to dashed through tractor at the leg of son of informant, in which, son of the informant sustained swelling injury whereas petitioner nos. 1 and 2 caused injury through lathi and stick to him but no any injury report has been detailed in the case diary, which is up to paragraph 72. Further submission is that, in fact, son of the informant was driving earlier the tractor of Rupa Yadav, father of petitioner nos. 1 and 2 and son of the informant was removed from his duty due to that reason, the present case has been lodged with false allegation.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six 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 Additional Sessions Judge-VI-cum-Spl. Judge, Excise Nalanda at Biharsharif, in connection with Giriak P.S. Case No. 317 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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