

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68260 of 2018

Arising Out of PS. Case No.-59 Year-2018 Thana- BASANHI District-
Saharsa

- =====
1. Surendra Yadav
 2. Harinandan Yadav, Both S/o Late Jagarnath Yadav, Resident of Village-
Mokma Tola, Suthania, P.S.- Basnahi, District- Saharsa.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Mukesh Kumar Jha, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 21-01-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 324, 307, 302, 504/34 of the Indian Penal Code registered in connection with Basnahi P.S. Case No. 59 of 2018.

3. It is submitted that the petitioners have been falsely implicated and the accusations of assault are general and omnibus in nature. There is delay in institution of the F.I.R. on 06.06.2018 for the alleged occurrence of 04.06.2018. The F.I.R. is a counter blast of the earlier Basnahi P.S. Case No. 57 of 2018 instituted by co-accused Tuntun Yadav who is said to be the main assailant in the case and who has been granted regular bail by



this Court in Cr. Misc. No. 67163 of 2018.

4. Learned A.P.P. submits from the case diary that the petitioners are the brothers of Tuntun Yadav as the parentage is the same.

5. Having regard to the nature of accusations and gravity of the offence alleged, this Court is not inclined to grant the privilege of anticipatory bail to the petitioners. The anticipatory bail petition stands dismissed. It is made clear that if the petitioners move for regular bail before the Court below, the same shall be considered on its own merits.

(Vikash Jain, J)

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