

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.50356 of 2019**

Arising Out of PS. Case No.-56 Year-2019 Thana- SHANKARPUR District- Madhepura

1. Jogindra Yadav @ Yogendra Yadav(Male), Aged 51 years, S/o Harinandan Yadav Resident of Village- Jharkaha, Bhati Tola, P.S.- Shankarpur, District- Madhepura
2. Sikendar Yadav (Male), Aged 53 years, Son of Harinandan Yadav Resident of Village- Jharkaha, Bhati Tola, P.S.- Shankarpur, District- Madhepura.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

|                     |   |                                |
|---------------------|---|--------------------------------|
| For the Petitioners | : | Mr. Nand Kumar Sagar, Advocate |
| For the State       | : | Mr. Jagdhar Prasad, APP        |
| For the Informant   | : | Mr. Dinesh Pd. Verma, Advocate |

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**  
**ORAL ORDER**

2      13-08-2019                      Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 149, 341, 323, 325, 307, 504 and 506 of the Indian Penal Code registered in connection with Shankarpur P.S. Case No. 56 of 2019.

3. It is submitted that the petitioners have been falsely implicated in the backdrop of land dispute and there is case and counter case between the parties who are agnates. It is submitted that in any event, the injuries sustained by injured Umesh Kumar and Swikriti Kumari attributed to the assault by the petitioners are simple in nature. The petitioners claim clean antecedents.

4. Learned APP assisted by learned counsel for the informant appearing suo motu submits that petitioner no. 1 Jogindra Yadav @ Yogendra Yadav is said to have assaulted Umesh Kumar with iron rod while petitioner no. 2 Sikendar Yadav is also said to have assaulted Swikriti Kumari with iron rod on their heads. It is



further submitted that one of the injured persons, namely, Shatrughan Yadav has sustained grievous injury.

5. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in connection with Shankarpur P.S. Case No. 56 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors of each of the petitioners shall be their close relatives.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

**(Vikash Jain, J)**

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