

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.58926 of 2019**

Arising Out of PS. Case No.-239 Year-2017 Thana- KONCH District- Gaya

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1. DR. RAJENDRA YADAV @ RAJENDRA YADAV Son of Late Manuk Yadav, Resident of Village - Salaune Bigha, P.S.- Konch, Dist.- Gaya.
  2. Pappu Yadav Son of Ramashish Yadav, Resident of Village - Salaune Bigha, P.S.- Konch, Dist.- Gaya.
  3. Guddu Yadav Son of Ramashish Yadav, Resident of Village - Salaune Bigha, P.S.- Konch, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Chandra Shekhar Anand  
For the Opposite Party/s : Mr.Umesh Lal Verma

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

2      24-09-2019                      Heard both sides.

Petitioners apprehend their arrest in Konch P.S. Case No.239 of 2017 registered under Sections 341, 323, 147, 148, 307 and 506 of the Indian Penal Code and under Section 27 of the Arms Act.

The informant alleged that on 05.10.2017 at about 3:30 P.M., Rajendra Yadav (petitioner no.1) fired and the pellet hit on the head of Rajanti Devi. Santosh Yadav armed was with pistol and lathi, who assaulted Dipak Kumar. Pappu Yadav (petitioner no.2) assaulted the informant with the butt of rifle and he got injury near his eyebrow. Guddu Yadav (petitioner



no.3), who was armed with rifle fired. Ramashish Yadav assaulted Pinki Devi with lathi. When Kusumi Devi came to save, Ram Lakhan Yadav assaulted her with lathi.

Learned counsel for the petitioners submits that there is a counter version being Konch P.S. Case No.240 of 2017. The police after investigation submitted charge sheet under sections 147, 148, 341, 323 of the I.P.C. but cognizance under section 307 and other sections of the I.P.C. and under Section 27 of the Arms Act was taken.

It appears that there is specific allegation of firing against petitioner no.1, Dr. Rajendra Yadav and pellet hit Rajanti Devi causing injury on her head.

Having considered the facts aforesaid, I am not inclined to enlarge petitioner no.1, Dr. Rajendra Yadav on anticipatory bail. Accordingly, the same is rejected.

So far the case of petitioner nos.2 and 3 is concerned, on account of assault made by them, the injured got injury, which is opined to be simple in nature. There is a counter version also.

Having considered the facts aforesaid, petitioner no.2 (Pappu Yadav) and petitioner no.3 (Guddu Yadav), in the event of their arrest or surrender before the learned court below within



a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on 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 A.C.J.M. III, Gaya in connection with Konch P.S. Case No.239 of 2017, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

**(Prabhat Kumar Jha, J)**

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