

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70485 of 2019

Arising Out of PS. Case No.-63 Year-2014 Thana- GAMAHARIYA District- Madhepura

1. BHUSHAN YADAV S/o Fuleshwar Yadav R/o Village- Chikni Phulkaha, P.S.- Gamohariya, District- Madhepura
2. Sudeshwar Yadav S/o Late Nabi Yadav R/o village- Chikni Phulkaha, P.S.- Gamohariya, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiva Shankar Sharma

For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 05-12-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for bail in connection with Gamhariya P.S. Case No. 63 of 2014 registered for the offence punishable under sections 147, 148, 149, 323, 341, 324, 307 and 504 of the Indian Penal Code to which Sec 302 of the IPC was added subsequently.

As per allegation in the FIR, as a result of she-buffalo having entered into the agricultural land, altercation took place between the parties. It is further alleged that Shambhu Yadav, Shatrudhan Yadav, Bhushan Yadav and Jallo Yadav came and Shambhu Yadav gave Farsa blow on Satya Narayan Yadav. Thereafter, it is stated that on persons coming to rescue of Satya Narayan Yadav, the petitioners herein as also Pankaj Yadav, Shiv Narayan Yadav and Pappu Yadav came and surrounded the informant and Pankaj Yadav is said to have given a Farsa blow



as a result of which the informant fell un-conscious.

It is submitted by learned counsel for the petitioners that case of the petitioners stand on similar footing to that of Pappy Yadav, who has been granted bail vide order dated 05.11.2019 passed in Cr. Misc. No. 61182 of 2019 and further main allegation of having given a Farsa blow is on Satya Narayan Yadav and Shambhu Yadav. It is further submitted that petitioners are in custody since 28.05.2019.

Having heard learned counsel for the parties and taking into consideration the fact that similarly situated co-accused has been enlarged on bail, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Madhepura in connection with Gamhariya P.S. Case No. 63 of 2014.

(Partha Sarthy, J)

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