

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 5427 of 2020

Arising Out of PS. Case No.-208 Year-2019 Thana- THAWE District- Gopalganj

1. BIRESH YADAV, aged about 46 years, Male, S/o Late Chhathu Yadav.
2. Om Prakash Yadav, aged about 42 years (Male), S/o Late Gorakh Yadav.
Both resident of Village- Pithauri, P.S.- Thawe, Distt- Gopalganj.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harendra Prasad
For the Opposite Party/s : Mr. Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 29-02-2020 Heard learned counsel for the petitioners and
learned counsel for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Thawe P.S. Case No. 208 of 2019, registered for the offence under Sections 147, 149, 341, 323, 324 and 307 of the Indian Penal Code.

As per the F.I.R. there was a dispute with respect to money, that led to assaulting the informant while he was going to distribute the milk.

Learned counsel for the petitioners submits that there is nothing on record regarding injury of the informant.

Learned counsel for the informant has produced the photographs and injury report. In turn, learned counsel for the



petitioners submits that the doctor has opined that the injuries are simple in nature.

However, looking to the injuries sustained by the informant, as evident from the Photograph, this Court is not agreed with the opinion of the doctor regarding the nature of injury. Hence, this Court is not inclined to grant bail to the petitioners. Accordingly, the prayer for bail on behalf of the petitioners is rejected. However, if the petitioners surrender before the Court below within four weeks from today and pray for regular bail, the Court below will consider the same and pass appropriate order on the same day without being influenced by the order of this Court.

(Shivaji Pandey, J)

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