

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26396 of 2020

Arising Out of PS. Case No.-73 Year-2019 Thana- SILAO District- Nalanda

- =====
1. ARVIND YADAV Son of Golu Yadav Resident of Village- Balwa Chak, P.S.- Silao, District- Nalanda.
 2. Vinay Yadav Son of Arvind Yadav Resident of Village- Balwa Chak, P.S.- Silao, District- Nalanda.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar
For the Opposite Party/s : Mr. Md. Aslam Ansari

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 25-11-2020 Heard Mr. Pankaj Kumar, learned counsel for the

petitioner and Mr. Md. Aslam Ansari, learned APP for the

State.

The petitioners seek bail in anticipation of their

arrest in connection with Silao P.S. Case No. 73 of 2019

dated 05.04.2019 instituted for the offence under Sections

279, 337 and 307 of the Indian Penal Code.

From the perusal of the First Information Report, it

appears that the informant claims to have been hurt by a

speeding vehicle on which some persons including the



petitioners were sitting. The name of the persons sitting on the vehicle have been stated in the First Information Report. The cause of occurrence as stated in the F.I.R is that there was deliberate intention to kill the informant by the petitioners because of an earlier dispute with him.

Learned counsel for the petitioners has submitted that till date no injury report has been brought on record and the accusation appears to be very fanciful. It has also been submitted on behalf of the petitioners that initially the case was instituted under Section 279 and 337 read with 378 of the Indian Penal Code but by manipulating the same, Section 378 was penned through and Section 307 of the Indian Penal Code was added.

The aforesaid interpolation in the F.I.R appears to have been signed by the Chief Judicial Magistrate and, therefore, the suggestion of the learned counsel for the petitioners that it is a later addition only for the purposes for implicating the petitioners, is not correct.

Be that as it may, considering the nature of accusation against the petitioners, they are directed to be



released on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda, in connection with Silao P.S. Case No. 73 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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