

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20475 of 2020

Arising Out of PS. Case No.-426 Year-2019 Thana- KUCHAIKOTE District- Gopalganj

1. Sonu Kumar @ Sonu Kumar Yadav Son of Ramayan Yadav
 2. Mantosh Yadav @ Mantosh Kumar Yadav Son of Ramchandra Yadav
 3. Harkesh Yadav Son of Late Jagarnath Yadav
All resident of Village - Khairatwa, P.S.- Kuchaikote, District - Gopalganj.
 4. Sanjeev Yadav @ Sanjeev Kumar Yadav Son of Sudama Yadav Resident of
Village - Khairatwa, P.S.- Kuchaikote, District - Gopalganj
- Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Upendra Yadav
For the Opposite Party/s : Mr.Prem Kumar Jha

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

3 15-01-2021 It is relevant to mention here that prayer for anticipatory bail of petitioner no. 4, namely, Sanjeev Yadav @ Sanjeev Kumar Yadav has already been dismissed as withdrawn vide order dated 09.10.2020.

Heard learned counsel for petitioners no. 1, 2 and 3 as well as learned Additional Public Prosecutor for the State.

Petitioners no. 1, 2 and 3 apprehend their arrest in connection with Kuchaikote P.S. Case No. 426 of 2019 registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504/34 of the Indian Penal Code.

The first information report goes to show that co-accused Rajesh Kumar Yadav gave sword blow causing head



injury to informant and thereafter, co-accused Santosh Yadav assaulted the informant by means of iron rod.

Learned counsel appearing for petitioners no. 1, 2 and 3 submits that there is case and counter case between the parties and persons from both the sides sustained injury and, therefore, in the aforesaid circumstance, the claim of informant appears to be doubtful because he has not come with clean hand.

The injury report of informant goes to show that he sustained simple injury.

Considering the aforesaid facts and circumstances as well as submissions of the parties, it is ordered that petitioners no. 1, 2 and 3 (above named), in the event of their arrest/ surrender within six weeks from the date of receipt of this order to the court concerned, shall be released 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 Additional Chief Judicial Magistrate-VII, Gopalganj in Kuchaikote P.S. Case No. 426 of 2019, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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