

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47256 of 2022

Arising Out of PS. Case No.-274 Year-2020 Thana- CHHATAPUR District- Supaul

1. Navin Kumar Yadav @ Dulen Yadav @ Navin Kumar Nutan.
2. Shyam Kumar @ Shyam Kumar Suman, both are Sons of Dhanjeet Yadav
3. Bechan Yadav Son of Late Bhangi Yadav
4. Rajesh Yadav @ Rajesh Kumar Raushan Son of Runalal Yadav
5. Mahesh Yadav @ Mahesh Kumar both are Sons of Runalal Yadav
6. Gulab Yadav Son of Late Mohan Yadav, all are resident of village- Dahariya, P.S- Chhatapur, Dist- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 03-01-2023 Heard Mr. Arun, learned counsel for the petitioners and the learned APP for the State.

The petitioners apprehend their arrest in connection with Chhatapur P.S. Case No.274 of 2020 instituted under Sections 147,149,323,307,325,379,504,506 of the Indian Penal Code.

As per the prosecution story, the accused persons variously armed assaulted the informant and his family members causing injuries to most of them. As per the injury reports that has come in the order sheet of the learned Sessions Judge, the assault of petitioner no.2, Shyam Kumar @ Shyam Kumar Suman to Sijendra Yadav on his head was found to be grievous. Similarly, so far as injury to Lal Mohan Kumar is concerned, those inflicted by Rajesh Yadav and Gulab Yadav (petitioner no.4 and 6) have also been found



to be grievous. In the aforesaid circumstance, this Court is not inclined to grant relief to petitioner nos.2,4 and 6.

So far as the petitioner nos.1, 3 and 5 namely, Navin Kumar Yadav @ Dulen Yadav @ Navin Kumar Nutan, Bechan Yadav and Mahesh Yadav @ Mahesh Kumar respectively are concerned, although allegation of assault are also on them, in view of the fact that the grievous injuries have been attributed only against aforesaid three accuseds (petitioner no. 2,4 and 6), this Court is inclined to grant them relief.

Let the petitioner nos. 1,3 and 5 be released on bail, in the event of their arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Chhatapur P.S. Case No.274 of 2020 to the satisfaction of learned Judicial Magistrate, Ist Class, Supaul, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Prakash Narayan /-

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