

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27508 of 2014

Arising Out of PS.Case No. -47 Year- 2014 Thana -JADIA District- SUPAUL

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1. Madhav Pd. Rai @ Madho Rai Son of Rajeshwar Rai
2. Bechan Thakur Son of Buchai Thakur
3. Umesh Yadav Son of Bhoj Nr Yadav
4. Nitish Kumar Yadav @ Nitish Yadav Son of Bambholi Yadav
5. Pawan Kumar Yadav @ Pawan Yadav Son of Muni Lal Yadav
6. Nand Kishore Yadav Son of Bambholi Yadav All resident of Village
Fasiya Kothi, P.S. Jadia, District Supaul

.... Petitioners.

Versus

The State of Bihar

.... Opposite Party.

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

4 23-12-2014 Supplementary affidavit is filed on behalf of the
petitioners.

Prayer for anticipatory bail of petitioner No. 6 has already
been dismissed being infructuous.

So far as rest petitioners are concerned; there is specific
allegation that they, along with others put the informant's shop on fire
and also assaulted her father-in-law and three others by means of
LATHI.

The contention on behalf of the petitioners is that no
specific overt act has been attributed against the petitioners and except
one injured, almost all the injured persons sustained simple injury. So
far allegation of setting the shop of the informant on fire is concerned;
nothing was found in course of investigation. It is also contended on

behalf of the petitioners that as a matter of fact, petitioners have been implicated in this case, because prior to institution of present case, Jadia P.S. Case No. 46 of 2014 was lodged by the petitioner No. 4 against the prosecution party. It is also pointed out by him that co-accused Nand Kumar Yadav has already been granted privilege of regular bail by the learned court below itself.

Taking note of the aforesaid facts and circumstances, this anticipation bail petition stands rejected.

However, if, petitioners namely, Madhav Pd. Rai @ Madho Rai, Bechan Thakur, Umesh Yadav, Nitish Kumar Yadav @ Nitish Yadav and Pawan Kumar Yadav @ Pawan Yadav surrender before the court below and seek regular bail in connection with Jadia P.S. Case No. 47 of 2014 within six weeks from today, the concerned court shall consider the regular bail application of the petitioners on its own merit, without being prejudiced by this order, particularly, keeping in mind that one co-accused, Nand Kumar Yadav against whom, there is allegation of giving iron rod blow of injured Krityanand Rai has already been admitted to regular bail by concerned court.

(Hemant Kumar Srivastava, J)

A.K.V./-

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