

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.20175 of 2015**

Arising out of PS.Case No. -98 Year- 2014 Thana -BHAIABASHTHAN District- MADHUBANI

- =====
1. Umesh Yadav, Son of Anathi Yadav.
  2. Nage Yadav @ Nageshwar Yadav, Son of Anathi Yadav.
  3. Kameshwar Yadav, Son of Anathi Yadav.
  4. Lalan Yadav, Son of Kameshwar Yadav.
  5. Bhaw Nath Yadav @ Bhawan Yadav, Son of Umesh Yadav.
  6. Deepak Yadav, Son of Makeshwar Yadav resident of village - Jhausa, P.S. - Bhairab Asthan, District - Madhubani.

.... .... Petitioners

Versus

The State of Bihar.

.... .... Opposite Party

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**Appearance :**

For the Petitioners : Mr. Gagan Deo Yadav, Advocate.

For the Opposite Party : Mr. Sadanand Paswan(Spl.Pp)

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      02-07-2015                      The petitioners are apprehending their arrest in connection with Bhairab Asthan P.S. Case No. 98 of 2014 for the offences instituted under Sections 419, 420, 341, 323, 468, 469, 354(A), 504, 506/34 of the Indian Penal Code and 3(1)(x) of the SC/ST (Prevention of Atrocities) Act.

Heard learned counsel for the petitioners and the State.

The prosecution story, in brief, is that on 27.08.2014 at about 17 hours the informant was coming to her house from Nirbhapur Chowk, in the meantime, all the accused persons, named in the F.I.R., came there and asked her to put her signature on blank paper on the pretext to make available her the Ration



Card. During that very course, some other ladies named in the F.I.R. of the village also came there who stated that the accused persons forcibly obtained their signatures on the blank paper. Thereafter, the informant told that she would put her signature after get it read by the son of her Gotani. Thereafter, on the order of Umesh Yadav and Nageshwar Yadav accused, Lalan Yadav, Bhawan Yadav and Deepak Yadav tried to forcibly obtain the L.T.I. of the informant then the informant cried loudly then the accused persons assaulted the ladies by fist, slap and kicked and abused her by saying “Sali Dushadhiniya.” Thereafter, on cry of the informant, some persons alongwith the Chaukidar Pulkit Paswan arrived there and asked to the accused persons why they have done such act where upon the accused persons assaulted him also by fist and slap and threatened him to do away his life. Thereafter, the informant came to know that the accused persons had forcibly obtained their signatures on the blank paper to prepare an application against the Chaukidar. The villagers recovered to application from the Jhola of accused Umesh Yadav. Thereafter, the accused persons fled away.

It has been submitted on behalf of the petitioners that general and omnibus allegation has been made against the petitioners. No specific allegation has been made against the

petitioners. It is further submitted that the petitioners have got no criminal antecedent. It is further submitted that no offence under Section 3(1)(x) of the SC/ST (Prevention of Atrocities) Act is made out against the petitioners as the occurrence has not taken place in a public place.

On behalf of the State, it has been submitted that there is specific allegation against the petitioner no. 4 Lalan Yadav, petitioner no. 5 Bhaw Nath Yadav @ Bhawan Yadav and petitioner no. 6 Deepak Yadav.

Considering the aforesaid facts, I am not inclined to grant anticipatory bail to petitioner no. 4 Lalan Yadav, petitioner no. 5 Bhaw Nath Yadav @ Bhawan Yadav and petitioner no. 6 Deepak Yadav. Hence, their prayer for anticipatory bail stands rejected.

So far as petitioner no. 1 Umesh Yadav, petitioner no. 2 Nage Yadav @ Nageshwar Yadav and petitioner no. 3 Kameshwar Yadav are concerned, they are directed to be released on bail in the event of their arrest or surrender before the learned court below within a period of four weeks from today in connection with Bhairab Asthan P.S. Case No. 98 of 2014 on furnishing bail bond of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.

Jhanjharpur, Madhubani, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

**(Sudhir Singh, J)**

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