

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22364 of 2015

Arising Out of PS.Case No. -75 Year- 2014 Thana -ARIYARI District- SEKHPURA

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1. Ayodhya Yadav Son of Rameshwar Yadav
 2. Radhey Yadav Son of Late Rameshwar Yadav
 3. Lalan Yadav Son of Ragho Yadav
 4. Fulan Yadav Son of Ragho Yadav
 5. Sushma Devi wife of Ayodhya Yadav
 6. Sumani Devi daughter of Ayodhya Yadav
 7. Sosita Kumari Daughter of Ayodhya Yadav
 8. Lagni Devi @ Lagnai Devi Wife of Radhey Yadav All resident of village - Chandi, P.S. Aryari (Kasar), District - Sheikhpura

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar

For the Opposite Party/s : Mr. M.K. Khare(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-07-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under sections 147,148,149,337,341,323,448,379 and 436 of the Indian Penal Code.

It is alleged that eight accused persons came, pelted stones at the house of the informant and at 11 P.M. petitioner Ayodhya Yadav entered into the house with arms and pointed to the informant, thereafter petitioner Lalan yadav snatched ear ring and chain. Petitioner no. 2 took twenty thousand rupees and silver

jewellery after breaking the lock of the box and petitioner no. 4 is alleged to have put the house on fire.

It is submitted by learned counsel for the petitioners that charge sheet was submitted under the bailable provisions of IPC but cognizance has been taken under sections 379 and 436 IPC. More over at earlier point of time the informant side assaulted the son of petitioner for which Ariyari P.S. Case No. 73 of 2014 was registered under sections 341,323,324,307,504,506 and 379/34 IPC and thereafter the present case has been lodged.

Considering the fact that specific accusation of putting the house on fire is against petitioner no. 4, let the learned court below consider the prayer for regular bail of the petitioner no. 4 above named in case the petitioner no. 4 surrenders within six weeks from today in connection with Ariari P.S. Case No. 75 of 2014 pending in the court of learned SDJM, Sheikhpura.

So far as petitioner nos. 1 to 3 and 5 to 8 are concerned, considering the fact that accusation is omnibus and general against them and the accusation of taking jewellery and money prima facie appear to have been levelled as retaliatory measure, let the above named petitioner nos. 1 to 3 and 5 to 8 above named be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks

from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned SDJM, Sheikhpura in connection with the aforementioned case subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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