

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43074 of 2014

Arising Out of PS.Case No. -325 Year- 2014 Thana -MADHEPURA District- MADHEPURA

- =====
1. Sri Chandra Yadav son of Late Tanuk Yadav
 2. Shiv Gulam Yadav son of Chhotelal Yadav
 3. Birendra Yadav @ Biren Yadav son of Satto Yadav
 4. Yogendra Yadav son of Mungalal Yadav
 5. Rajdeo Yadav alias Babloo Yadav son of Sri Chandra Yadav
 6. Jitan Yadav son of Mahendra Yadav
 7. Ramdeo Yadav son of Srichandra Yadav
- All residents of village-Chitti, Police Station Ghailardh (Madhepura),
District-Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Anil Pd. Singh (APP)

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

2 04-03-2015 This application under Section 438 Cr.P.C. is filed with a prayer to grant anticipatory bail to the petitioners in Madhepura (Ghailardh) P.S. Case No.325 of 2014 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 353, 504 and 506 of the Indian Penal Code.

A.B.P. No.446 of 2014 was filed by the petitioners before the Court of Sessions Judge, Madhepura, and the same was dismissed on 05.09.2014. Hence, this application.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The only allegation against the petitioners is the one

referable to Section 353 of the Indian Penal Code. The petitioner is said to be engaged in constructing a house and when the police party came to the spot to inform that the proceedings under Section 107 and 144 Cr. P.C. are pending, the petitioners are said to have not heeded to the warning of the police. Except that certain oral assertions are said to have been made, no physical acts are attributed.

Hence, this application is allowed. In the event of arrest, the petitioners shall be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in connection with Madhepura (Ghailardh) P.S. Case No.325 of 2014, subject to the conditions as laid down under Section 438(2) Cr. P.C.

It is also directed that the petitioners shall report to the concerned police station between 10 A.M. and 11 A.M. on 16.03.2015 and 30.04.2015.

(L. Narasimha Reddy, CJ)

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