

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25359 of 2015

Arising Out of PS.Case No. -34 Year- 2011 Thana -ANDHRATHARI District- MADHUBANI

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1. Rekha Devi @ Rekha Yadav wife of Shiv Nath Yadav resident of Village - Sigyoun, P.S. Andhra Thardhi, District Madhubani.
 2. Shiv Nath Yadav Son of Khattar Yadav resident of Village - Sigyoun, P.S. Andhra Thardhi, District Madhubani.
 3. Ranjit Yadav son of Matar Yadav resident of Village - Sigyoun, P.S. Andhra Thardhi, District Madhubani.
 4. Baidya Nath Rai Son of Late Raj Kumar Rai resident of Village - Marukiya, P.S. Andhra Thardhi, District Madhubani.
 5. Shiv Nath Rai Son of Late Raj Kumar Rai resident of Village - Marukiya, P.S. Andhra Thardhi, District Madhubani.
 6. Bhagwat Rai Son of Late Nathuni Rai resident of Village - Marukiya, P.S. Andhra Thardhi, District Madhubani.
 7. Kamal Narayan Rai Son of Late Ram Swarup Rai resident of Village - Marukiya, P.S. Andhra Thardhi, District Madhubani.
 8. Debu Rai Son of Late Raghu Nandan Rai resident of Village - Marukiya, P.S. Andhra Thardhi, District Madhubani.
 9. Mohan Rai son of Late Dashrath Rai resident of Village - Marukiya, P.S. Andhra Thardhi, District Madhubani.
 10. Satto Rai son of Late Gauri Rai resident of Village - Marukiya, P.S. Andhra Thardhi, District Madhubani.
 11. Bharat Gupta son of Late Asharfi Gupta resident of Village - Marukiya, P.S. Andhra Thardhi, District Madhubani.
 12. Pramod Rai son of Jibachh Rai resident of Village - Marukiya, P.S. Andhra Thardhi, District Madhubani.
 13. Mahendra Yadav @ Mahendra Prasad son of Late Shobhit Yadav @ Sobha Kant Yadav resident of Sisiyaon, P.S. Andhrathari, District Madhubani.
 14. Ganeshi Yadav @ Ganesh Yadav Son of Late Umakant Yadav resident of Sisiyaon, P.S. Andhrathari, District Madhubani.
 15. Indra Kant Yadav son of Late Mahdukar Yadav resident of Sisiyaon, P.S. Andhrathari, District Madhubani.
 16. Ram Chandra Sahu son of Upendra Rai resident of Sisiyaon, P.S. Andhrathari, District Madhubani.
 17. Baidyanath Yadav son of Asharfi Yadav resident of Sisiyaon, P.S. Andhrathari, District Madhubani.
 18. Raj Kumar Yadav son of Duldul Yadav resident of Sisiyaon, P.S. Andhrathari, District Madhubani.
 19. Ram Prit Yadav son of Hirai Yadav resident of Sisiyaon, P.S. Andhrathari, District Madhubani.
 20. Nathuni Yadav son of Narayan Yadav resident of Sisiyaon, P.S. Andhrathari, District Madhubani.
 21. Ram Babu Yadav son of Narayan Yadav resident of Sisiyaon, P.S. Andhrathari, District Madhubani.
 22. Damodar Yadav son of Late Malu Yadav resident of Sisiyaon, P.S. Andhrathari, District Madhubani.
 23. Mainager Yadav son of Singheshwar Yadav resident of Sisiyaon, P.S. Andhrathari, District Madhubani.

24. Anand Rai son of Chandeshwar Yadav resident of Sisiyaon, P.S. Andhrathari, District Madhubani.
25. Arun Rai son of Jirth Rai resident of Sisiyaon, P.S. Andhrathari, District Madhubani.
26. Anil Rai son of Bisheshwar Rai resident of Sisiyaon, P.S. Andhrathari, District Madhubani.
27. Ramchandra Yadav son of Matar Yadav resident of Sisiyaon, P.S. Andhrathari, District Madhubani.
28. Ramdeo Yadav son of Gangai Yadav resident of Sisiyaon, P.S. Andhrathari, District Madhubani.
29. Laldeo Yadav son of Subai Yadav resident of Sisiyaon, P.S. Andhrathari, District Madhubani.
30. Bhola Yadav son of Achche Lal Yadav resident of Sisiyaon, P.S. Andhrathari, District Madhubani.
31. Bhogi Yadav son of Ramabatar Yadav resident of Sisiyaon, P.S. Andhrathari, District Madhubani.
32. Achche Lal Yadav son of Ramabatar Yadav resident of Sisiyaon, P.S. Andhrathari, District Madhubani.
33. Shankar Yadav son of Mauje Yadav resident of Sisiyaon, P.S. Andhrathari, District Madhubani.
34. Biltu Yadav son of Ram Lakhan Yadav resident of Sisiyaon, P.S. Andhrathari, District Madhubani.
35. Jagernath Yadav son of Indra Kant yadav resident of Sisiyaon, P.S. Andhrathari, District Madhubani.
36. Ram Narayan Yadav son of Ram Lal Yadav resident of Sisiyaon, P.S. Andhrathari, District Madhubani.
37. Hari Mohan Thakur son of Late Sukadeo Thakur resident of Sisiyaon, P.S. Andhrathari, District Madhubani.
38. Ram Sewak Yadav son of Late Shobha Kant Yadav resident of Sisiyaon, P.S. Andhrathari, District Madhubani.
39. Manoj Kumar Jha son of Raghubir Jha resident of Rahikpur, P.S. Andhrathari, District Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate

For the Opposite Party/s : Mr. Renu Kumari (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-07-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Section 147/148/149/323/307/332/333/337/338/353/393/188/427/120B/504/506 of the Indian Penal Code and 3/4 of The Prevention of Damage to Public Property Act.

It is alleged by the informant being the Junior Electrical Engineer that he was deputed as a magistrate to maintain law and order during Panchayat elections in Andhrathari block when the mob of 400-500 people came to the gate of Mahanth Rajeshwar Giri High School, Andhratharhi and started raising slogan when the police tried to pacify the mob they pelted stones, as a result, the 'Chaukidar' and other persons received injuries. It is further alleged that petitioner no.1 and her husband collected the mob to protest against election of Gauri Devi for the post of Panchayat Mukhiya.

It is submitted by learned counsel for the petitioners that accusation is omnibus and general against the mob and the injuries of the injured are found superficial simple in nature. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforementioned facts, let the above named petitioners be released on anticipatory bail, in the event of

arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM, Jhanjharpur, Madhubani in connection with Andhra Thardhi P.S. Case No.34 of 2011, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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