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IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47679 of 2014

Arising Out of PS. Case No. -299 Year- 2014 Thana -NATHNAGAR District- BHAGALPUR

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BikramYadav, S/o Sri Mushahru Yadav, Resident of Babu Tola, P.S. Nathnagar, in the Town and District Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

==========

with

Criminal Miscellaneous No.47824 of 2014

Arising Out of PS. Case No. -299 Year- 2014 Thana -NATHNAGAR District- BHAGALPUR

==========

Gautam Yadav @ Gautam Kumar Yadav, Son of Sri Jai Kant Yadav, resident of Babu Tola, Nathnagar, P.S.- Nathnagar, District- Bhagalpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

==========

with

Criminal Miscellaneous No.48703 of 2014

Arising Out of PS. Case No. -299 Year- 2014 Thana -NATHNAGAR District- BHAGALPUR

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Mukesh Yadav, son of Bhudeo Yadav, resident of Babu Tola, P.S. Nathnagar, District – Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.48987 of 2014

Arising Out of PS.Case No. -299 Year- 2014 Thana -NATHNAGAR District- BHAGALPUR

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Dinesh Yadav, Son of Yogi Yadav, resident of Babu Tola, P.S. Nathnagar, District - Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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with

Criminal Miscellaneous No.51492 of 2014

Arising Out of PS.Case No. -299 Year- 2014 Thana -NATHNAGAR District- BHAGALPUR

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FANTUSH YADAV, Son of Sri Arjun Yadav, resident of Babu Tola, P.S.

Nathnagar, District – Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :
(In Cr.Misc. No.47679 of 2014)
For the Petitioner/s : Mr. Akhileshwar Prasad Singh, Sr. Advocate
: Mr. Praveen Kumar
For the Opposite Party/s : Mr. Smt. Anita Kumari(App)
(In Cr.Misc. No.47824 of 2014)
For the Petitioner/s : Mr. Praveen Kumar
For the Opposite Party/s : Mr. Gopesh Kumar (App)
(In Cr.Misc. No.48703 of 2014)
For the Petitioner/s : Mr. Praveen Kumar
For the Opposite Party/s : Mr. Sucheta Yadav(App)
(In Cr.Misc. No.48987 of 2014)
For the Petitioner/s : Mr. Praveen Kumar
For the Opposite Party/s : Mr. Gopesh Kumar (App)
(In Cr.Misc. No.51492 of 2014)
For the Petitioner/s : Mr. Praveen Kumar
For the Opposite Party/s : Mr. Shyam Kr.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH

ORAL ORDER

3 01-07-2015 Heard learned counsel for the petitioners and the State.

All the five anticipatory bail applications are taken up together for hearing, as the same arises out of the common P.S. case bearing Nath Nagar P.S. Case No. 299 of 2014.

The petitioners apprehend their arrest in a case under Sections 307, 308, 353 and 379 and other allied Sections of the Indian Penal Code.

The informant, who is an Assistant Sub-inspector of Police, alleged that while he was supervising the submergence of

Idol, the accused persons intervened and assaulted him on account of previous grudge. He further alleged that Bikram Yadav snatched Mobile from his possession also.

Counsel for the petitioners submits that earlier a Criminal writ bearing Cr.W.J.C. No. 849 of 2014 was filed against investigation carried out by the present informant in connection with Nath Nagar P.S. case No. 124 of 2014, dated 22.05.2014, under Sections 504, 506 and 427/34 of the Indian Penal Code. In the aforesaid case, one Bijay Kumar Sinha alleged that petitioner Bikram Yadav has forcefully captured some portion of land. He further submits that in view of the aforesaid criminal writ, show-cause was asked by the Superintendent of Police, Bhagalpur from the present informant.

Learned counsel further submits that F.I.R. was produced in the Court after two days, though the police station is very close from the Court. Furthermore, it is very improbable that a few persons would assault the police official and thereafter would manage to escape.

Having regard to the facts and circumstances of the case, in the event of their arrest/surrender before the court below within four weeks from today, let petitioner, Gautam Yadav @ Gautam Kumar Yadav of Cr. Misc. No.47824 of 2014, petitioner,

Mukesh Yadav of Cr. Misc. No.48703 of 2014, petitioner, Dinesh Yadav of Cr. Misc. No.48987 of 2014, petitioner, Fantush Yadav of Cr. Misc. No.51492 of 2014, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bhagalpur in connection with Nath Nagar P.S. Case No. 299 of 2014, subject to conditions laid down under Section 438 (2) of the Cr.P.C.

So far as prayer for anticipatory bail of petitioner Bikram Yadav of Cr. Misc. No. 47679 of 2014 is concerned, his prayer for anticipatory bail is rejected with liberty that if he surrenders within four weeks from today before the court below and prays for regular bail, the same would be disposed of preferably on the same day without being prejudiced by this order.

(Samarendra Pratap Singh, J.)

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