

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29999 of 2014

Arising Out of PS.Case No. -105 Year- 2013 Thana -RAJAUN District- BANKA

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1. Dayanand Yadav, Son of late Goverdan Yadav
2. Kailash Yadav @ Kailash Prasad Yadav, Son of late Goverdan Yadav
3. Ram Swaroop Yadav, Son of late Goverdan Yadav
4. Paltan Yadav, Son of Kailash Yadav
5. Kanhaiya Yadav @ Kanhay Yadav, Son of Ram Swaroop Yadav
6. Siyaram Yadav, Son of late Goverdan Yadav
All residents of village- Tekari Shyampur, Police Station- Rajoun, District-
Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Nath Dubey, Adv.
For the Opposite Party/s : Mr. J.N Thakur, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 16-01-2015 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners, apprehending their arrest in connection with Rajoun Police Station Case No. 105 of 2013 registered for the offences punishable under Sections 341, 323, 354, 504 and 302/34 of the Indian Penal Code, seek the privilege of pre-arrest bail.

The petitioners are named in the F.I.R. having allegation that in furtherance of their common intention, they assaulted the husband of the informant in such a manner that he succumbed to

the injuries on the spot. It is submitted that the petitioners have been falsely implicated in this case. There is no specific allegation of overt act rather all the allegations are general and vague, to which the learned A.P.P. opposes.

As the petitioners with common intention assaulted the husband of the informant resulting he died on the spot, as such, this Court is not inclined to grant the privilege of pre-arrest bail to the petitioners and they are directed to surrender and prefer regular bail before the court below where their prayer for regular bail shall be considered without being prejudiced by this order, and, accordingly, the prayer for pre-arrest bail of the petitioners stands rejected.

(Jitendra Mohan Sharma, J.)

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