



IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21170 of 2015

Arising Out of PS.Case No. -104 Year- 2014 Thana -BASNAHI District- SAHARSA

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1. Maheshwari Yadav son of Late Bipat Yadav
 2. Mantun Yadav @ Mintu Yadav
 3. Santosh Kumar @ Sintu Yadav,
 4. Pintu Yadav @ Bittu Yadav all sons of Maheshwari Yadav all residents of village Godrama, P.S.- Basanahi, District Saharsa

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Diwakar Prasad Singh, Advocate.

For the Opposite Party : Mr. Ambika Bhagat (Spl.APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 30-07-2015 Heard learned counsel for the petitioners as well as

learned counsel for the State.

In this application for anticipatory bail the petitioners apprehend their arrest for the offences punishable under sections 406, 420, 323, 379, 380, 354, 384, 386, 504 and 506 of the I.P.C and sections 3 (1) (X) of SC & ST (POA) Act.

Allegedly, the petitioner no.1 agreed to sale his land for consideration amount of Rs. 1,25,000/- with the informant and the informant gave Rs. 1,25000/- between 30.10.2012 to 02.03.2013 and when requested to execute the sale deed then the

petitioners started evading the matter and finally refused and also abused using caste name and further the petitioners after entering into the house of the informant assaulted the informant, got her necked and further took away briefcase containing cash of Rs. 20,000/- and ornaments.

Submission is of false implication and that earlier also the informant has filed Basnahi P.S. Case No. 41 of 2014 wherein the petitioners have been granted pre-arrest bail and then this case has been lodged. There is no chit of paper to show that the informant has paid any amount to the petitioners and with wrong and false allegation this case has been lodged and as such the petitioners deserve sympathetic consideration as the occurrence has not taken place in public view at a public place. There is no injury to any one.

The learned Special P.P. opposes prayer for pre-arrest bail of the petitioners by referring paragraph-17 of the written complaint.

In the facts and circumstances as stated above, considering it a fit case for regular bail the petitioners are directed to surrender in the court of Sri V.N. Prasad, J.M. 1st Class, Saharsa in connection with Basnahi P.S. Case No. 104 of 2014 and seek regular bail and then the petitioners shall be enlarged on bail on

executing bail bonds to the satisfaction of the learned court below
and accordingly this criminal miscellaneous is hereby disposed of.

(Jitendra Mohan Sharma, J)

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