

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49559 of 2015

Arising Out of PS.Case No. -114 Year- 2015 Thana -DHANAHA District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Hari Yadav Son of Chanarjeet Yadav,
 2. Babunand Yadav, Son of Tikori Yadav,
 3. Bhola Yadav, Son of Kedar Yadav
 4. Subnarayan yadav, Son of Kedar Yadav,
 5. Jawahar Yadav, Son of Mohan Yadav,
 6. Sadhu Yadav, Son of Birjhan Yadav,
 7. Ramkisun Yadav, Son of Chandrika Yadav,
 8. Adalat Yadav, Son of Adhar Yadav,
 9. Chhotelal Yadav, Son of Adhar Yadav,
 10. Kanhaiya Kushwaha, Son of Radha Kushwaha,
 11. Ram Narayan Kushwaha, Son of Brahmdeo Kushwaha,
 12. Udibhan Kushwaha, Son of Mangal Kushwaha,
 13. Rajesh Kushwaha, son of Ramayan Kushwaha,
 14. Ramayan Kushwaha, son of Sanchit Kushwaha,
 15. Anil Kushwaha, son of Mangal Kushwaha,
 16. Jiut Kushwaha, Son of Ramayan Kushwaha,
 17. Bahadur Yadav, Son of Abhiraj Yadav,
 18. Biraju Yadav @ Birju Yadav, Son of Lal Pahari Yadav,
 19. Kitaju Yadav @ Golu, Son of Prabhua Yadav,
 20. Mahassy Yadav, Son of Chhabila Yadav,
 21. Rambali Yadav, Son of Chandrajeet Yadav, All resident of village -
Tuniahawa, P.S. - Dhanaha, District - West Champaran.
 22. Kailash Patel, Son of Jagarnath Patel,
 23. Patiram Chaudhary, Son of Hardeo Chaudhary,
 24. Papu Sahani, son of Mahanth Sahani, all resident of village - Samsera,
P.S. - Dhanaha, District - West Champaran.
 25. Kedar Yadav, son of Bunni Yadav,
 26. Kanhaiya Yadav, Son of Vidya Yadav, Both resident of village -
Sisawa, P.S. - Dhanha, District - West Champaran. Petitioners

with

Criminal Miscellaneous No.49686 of 2015

Arising Out of PS.Case No. -114 Year- 2015 Thana -DHANAHA District-
WESTCHAMPARAN(BETTIAH)

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Nand Prasad Yadav @ Nandu Yadav Son of Late Bhimal Yadav R/o
Village Barwa Kharsal, P.S. Dhanha, District West Champaran
..... Petitioner

Versus

The State of Bihar Opposite Party in both cases

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Appearance :

(In Cr.Misc. No.49559 of 2015)

For the Petitioner/s : Mr. Vijay Kr Singh No. 1

For the Opposite Party/s : Mr. Sadanand Paswan (Spl.App)

(In Cr.Misc. No.49686 of 2015)

For the Petitioner/s : Mr. Vijay Kr Singh No. 1
For the Opposite Party/s : Mr. Ambika Bhagat (Spl.App)

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH**
ORAL ORDER

3 16-12-2015

Learned counsel seeks permission to withdrawn the prayer for anticipatory bail of petitioners no. 1, 9 and 11 of Cr.Misc.No. 49559 of 2015 as they have already been arrested.

Petitioners of both the bail petitions apprehend their arrest in a case under sections 147, 148, 149, 342, 333, 353, 452, 354, 379, 323, 324, 325, 326, 307, 188, 504, 506, 120B of the IPC and under section 3 (i) (x) of the SC/ST Act.

The Circle officer who is the informant of the case alleges that when he was trying to implement an order 10.04.2015 passed under 144 Cr.P.C., the petitioners and others armed with weapons assaulted him and other Government officials and put hindrance in discharge of Government work.

Counsel for the petitioners submits that the Circle officer was in fact trying to enforce a dead order. Further, there is no specific allegation against them and they have no antecedent.

Counsel for the informant states that the petitioners tried to stop discharging Government work and petitioner Nand Prasad Yadav even threatened the Circle officer of dire consequences and he has antecedent as well.

In the facts of the case, let the petitioners of Cr.Misc.No. 49559 of 2015 except for petitioners no. 1,9 and 11 as mentioned above, in case of their surrender within six weeks from today, be released on bail on furnishing bail bond of Rs.5,000/- each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Bagaha in Dhanaha Police station Case No. 114 of 2015.

So far prayer for bail on behalf of Nand Prasad Yadav of Cr. Misc. No. 49686 of 2015 is concerned, his prayer for bail is rejected with direction to surrender and seek regular bail which would be considered on its own merit without prejudice.

(Samarendra Pratap Singh, J)

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