

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21924 of 2015

Arising Out of PS.Case No. -185 Year- 2014 Thana -BARARI District- KATIHAR

1. Arun Yadav. S/o Mehilal Yadav.
2. Munna Yadav. S/o Sushil Yadav.
3. Sarun Yadav. S/o Mehilal Yadav.
4. Pawan Kumar Yadav. S/o Sarun Yadav.
5. Om Prakash Yadav @ Prakash Yadav. S/o Late Gurudev Yadav.
6. Dinesh Yadav. S/o Late Lakadi Yadav.
7. Mithilesh Kr. Yadav. S/o Arjun Yadav.
8. Subodh Kr. Yadav @ Subodh Yadav. S/o Arun Yadav.
9. Vikki Kr. Yadav. S/o Raghu Yadav.
10. Janardan Yadav. S/o Mangal Yadav.
11. Prem Lal Yadav. S/o Late Sukdev Yadav.
12. Jitendra Yadav. S/o Late Hari Lal Yadav.
13. Amit Yadav. S/o Raghu Yadav. All are resident of Village - Sukhasan,
P.S.- Barari (Semapur), District - Katihar.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

with

Criminal Miscellaneous No.22204 of 2015

Arising Out of PS.Case No. -185 Year- 2014 Thana -BARARI District- KATIHAR

1. Vikash Yadav S/o Late Gurudeo Yadav
2. Sachita Nand Yadav S/o Late Harilal Yadav
3. Raghu Yadav S/o Late Akali Yadav All are residents of village
Sukhasan P.S. Barari (Semapur) District - Katihar.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

Appearance :

(In Cr.Misc. No.21924 of 2015)

For the Petitioners : Mr. Raghvendra Kumar Singh

For the Opposite Party : Mr. Tapeswar Sharma(App)

(In Cr.Misc. No.22204 of 2015)

For the Petitioners : Mr. Raghvendra Kumar Singh

For the Opposite Party : Mr. Surendra Kumar(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-06-2015

Heard learned counsels for the petitioners and the State.

It is submitted by learned counsel for the petitioners that petitioner No. 13 of Cr. Misc. No. 21924 of 2015 namely Amit Yadav has been arrested. Hence, counsel for the petitioners seeks permission to withdraw the application with regard to petitioner Amit Kumar.

Permission is accorded.

Accordingly the application with regard to petitioner Amit Yadav is permitted to be withdrawn.

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 307, 323, 324, 326, 341, 379, 427, 448, 506 of the Indian Penal Code and Section 27 of the Arms Act.

It is alleged that eighteen named accused persons including the petitioners started assaulting Mukesh Yadav. Subsequently he came home then he was chased and assaulted and when father of Mukesh Yadav came to rescue then he was assaulted with lathi on his head by petitioners Sachita Nand Yadav and Raghu Yadav, as a result he received serious injuries. When the informant and others went at the P.O then accused persons also chased them and assaulted. Subsequently petitioners Vikash Yadav and Sachita Nand

Yadav resorted to fire, as a result Guddi Devi received fire arm injuries. The accused persons also caused injuries to the brother of the informant Vinod Yadav. Subsequently Guddi Devi succumbed to the injuries.

It is submitted by learned counsel for the petitioners that Guddi Devi is the wife of petitioner Raghu Yadav and she was being killed by the informant's side. Though there is counter version of the occurrence also.

Considering the fact that there is specific accusation against petitioners of Cr. Misc. No. 22204 of 2015 namely Vikash Yadav, Sachita Nand Yadav and Raghu Yadav, this Court is not inclined to entertain the anticipatory bail application of the above petitioners. Let learned Court below consider the prayer for regular bail of the petitioners of Cr. Misc. No. 22204 of 2015 namely Vikash Yadav, Sachita Nand Yadav and Raghu Yadav, if the petitioners surrender within a period of six weeks and pray for regular bail in connection with Barari(Semapur) P.S. Case No. 185 of 2014, pending in the Court of learned Chief Judicial Magistrate, Katihar.

Accordingly the application with regard to petitioners of Cr. Misc. No. 22204 of 2015 namely Vikash Yadav, Sachita Nand Yadav and Raghu Yadav stands disposed off.

So far as petitioners of Cr. Misc. No.21924 of 2015, namely 1. Arun Yadav 2. Munna Yadav 3. Sarun Yadav

4. Pawan Kumar Yadav 5. Om Prakash Yadav @ Prakash Yadav
6. Dinesh Yadav 7. Mithilesh Kumar Yadav 8. Subodh Kumar
Yadav @ Subodh Yadav 9. Vikki Kumar Yadav 10. Janardan
Yadav 11. Prem Lal Yadav 12. Jitendra Yadav are concerned,
since there is no specific accusation against them and there is
counter version of the occurrence also, in the event of their
arrest or surrender before the Court below within a period of 12
weeks from today, be released on anticipatory bail on
furnishing bail bond of Rs. 10,000/-(ten thousand) each with
two sureties of the like amount each to the satisfaction of
learned Chief Judicial Magistrate, Katihar in connection with
Barari(Semapur) P.S. Case No. 185 of 2014, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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