

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47540 of 2014

Arising Out of PS.Case No. -144 Year- 2014 Thana -KHAIRA District- JAMUI

- =====
1. Amrit Yadav, son of Late Bangali Yadav
 2. Badri Yadav, son of Amrit Yadav
 3. Tulsi Yadav, son of Amrit Yadav
 4. Darogi Yadav, son of Amrit Yadav
 5. Ajay Yadav, son of Badri Yadav
 6. Sunil Yadav, @ Sunil Kumar Yadav, son of Badri Yadav All are the resident of Village- Ketari Baank, P.S.- Khaira, District- Jamui

.... Petitioners

Versus

The State of Bihar

.... Opposite Party/s

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 19-05-2015 Learned counsel for the petitioners submits that that during the pendency of this application, petitioner no.1 Amrit Yadav, Petitioner no.2 Badri Yadav and Petitioner no.5 Ajay Yadav have been apprehended by the Police. As such, he does not want to press their application. Accordingly, the application of petitioners no. 1, 2 and 5 dismissed as infructuous.

Heard learned counsel for the petitioners no. 3, 4 and 6 and the learned A.P.P. for the State.

The petitioners no. 3, 4 and 6 apprehend their arrest in connection with Khaira P.S. Case No. 144 of 2014 registered under Sections 147, 341, 323, 504, 354(A) of the Indian Penal Code and ¾ of the Prevention of Witch (Daain) Practices Act pending in the Court of Judicial Magistrate, Ist Class, Jamui.

The accusation is that six persons including the petitioners reached at the filed of the informant abused and told her Daain. On protest by her daughter, petitioner no.1 Amrit Yadav instigated to kill them, then petitioner no. 3 Tulsi Yadav gave iron rod blow on the head of informant and petitioner no. 4 Darogi Yadav assaulted on her hand and petitioner no.6 Sunil Yadav also assaulted on her leg by means of lathi. It is also alleged that all the accused persons opened the cloth of the informant.

Learned counsel for the petitioner submits that petitioners have falsely been implicated in this case due to enmity and also petitioners have no criminal antecedent.

Having considered the facts and circumstances of the case, I am not inclined to allow the prayer of the petitioners for anticipatory bail. Accordingly, the application stands rejected.

However, petitioners no. 3, 4 and 6 are directed to surrender before the trial Court within a period of four weeks and pray for regular bail, which shall be considered on its own merit without being prejudiced by the present order.

(Rajendra Kumar Mishra, J.)

Shail/-

U		T	
---	--	---	--