

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52419 of 2015

Arising Out of PS.Case No. -132 Year- 2015 Thana -MURLIGANJ District- MADHEPURA

1. Pappu Kumar Yadav Son of Manikant Yadav
2. Manikant Yadav Son of Late Nageshwar Yadav Both residents of Village
- Khari, Parmanandpur, Police Station - Murliganj, District - Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad

For the Opposite Party/s : Mr. Dinesh Singh (App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 11-12-2015 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Murliganj P.S.Case No. 132 of 2015 registered for offences
punishable under Sections 341, 323, 385, 380, 504, 506 and 34 of
the Indian Penal Code.

The prosecution case is that the
informant/complainant Rita Devi under love and influence with
the petitioner No. 1, Pappu Kumar Yadav gave Rs. forty thousand
to the petitioner No. 1 on loan. After one month, when the
complainant/informant demanded her money the petitioner No. 1
threatened the informant/complainant to kidnapp her and her
children and will realize ransom and on non-payment of ransom



the informant/complainant and her children would be killed and their dead bodies would be made to disappear. It has been further alleged that on 10.05.2015 at about 09.00 P.M. both the petitioners armed with lathi and iron-bar came, abused and assaulted the complainant. Further the petitioner No.1, assaulted the informant/complainant with iron-rod on her head in order to kill her causing bleeding injury from her head and she became unconscious and her treatment took place in the private clinic of Dr. Prabhat Ranjan, then only her life could be saved.

It has been further alleged that in course of assault when the informant/complainant became unconscious then both the petitioners entered into the house of the informant/complainant and looted away all articles of the house including clothes, ornaments and cash total worth Rs. 50,000/-.

‘ It has been submitted by the learned counsel for the petitioners that the petitioners and informant/complainant are next door neighbors and there are no cogent documents or materials to show that Rs. 40,000/- was given to the petitioner No. 1. Neither there is any description of stolen articles.

It has further been submitted that the main reason behind the allegations is quarrel between the children of the informant and petitioner No. 1 for which the petitioners have been falsely

implicated.

Be that as it may, let the above named petitioners in the event of their arrest or surrender before the Court below within a period of six weeks from today be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in Murliganj P.S. Case No. 132 of 2015, subject to the conditions laid down under Section 438 (2) Cr.P. C.

However, it is made clear that Petitioner No. 1 Pappu Kumar Yadav, who is an accused in Murliganj P. S. Case No. 19/2003 under Section 25 (1-B), 26 and 35 of the Arms Act and if the petitioner No. 1 in future is involved in similar nature of offence, as the present one, the learned Court below will be liberty to cancel the bail bonds of the petitioner No. 1. without being prejudiced with this order.

(Nilu Agrawal, J)

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