

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4471 of 2016

Arising Out of PS.Case No. -380 Year- 2015 Thana -BALIA District- BEGUSARAI

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1. Pokhan Yadav
 2. Kailash Yadav Both sons of Late Mahavir Yadav,
 3. Bano Yadav son of Late Bihari Yadav
 4. Pramod Yadav, son of Bano Yadav
 5. Sanjay Yadav,
 6. Arvind Yadav, Both son of Suraj Yadav
 7. Mukesh Yadav, son of Jai Kishore Yadav, All resident of village- Ballia,
P.S.- Ballia, District- Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Randhir Kumar No-1

For the Opposite Party/s : Mr. Braj Kishore Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-02-2016 It is submitted that petitioner no.2 namely Kailash Yadav has been arrested, hence his application with regard to anticipatory bail has become infructuous.

Accordingly, the same is disposed of.

The petitioners nos. 1 and 3 to 7 are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 326, 307, 427 and 379 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case is that on 29.11.2015, the accused persons including the petitioners came variously armed and tried to kidnap one Sashi Bhushan Kumar which was resisted by the

informant and his brother Upendra Yadav when Ranveer Yadav resorted to fire causing injury to the informant. It is alleged that Rupesh Yadav snatched ₹5,000/- from the pocket of the informant when petitioner no.6, Arvind Yadav, Ritesh Kumar, petitioner no.5, Sanjay Yadav and Ranveer Yadav resorted to fire indiscriminately. The informant's brother managed to save Sashi Bhushan Kumar from being abducted by the accused persons.

It is submitted by learned counsel for the petitioners that petitioners are the agnates of the informant and in the background of pending title suit, the accusation has been levelled. Specific accusation of causing firearm injury is against Ramveer Yadav. The informant received only one injury simple in nature. Though, petitioner nos. 1, 2, 3 and 4 are accused in one other case but the said case was also lodged on behalf of the informant's family.

Considering the fact that specific accusation of causing firearm injury is against Ranveer Yadav and snatching money from the informant is against Rupesh Yadav who are not petitioners before this Court, let the above named petitioner nos. 1 and 3 to 7 be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the

satisfaction of the learned C.J.M., Begusarai in connection with
Ballia P.S. Case No. 380 of 2015, subject to the conditions as laid
down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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