

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17996 of 2016

Arising Out of PS.Case No. -72 Year- 2015 Thana -BHAPATIYAH I District- SUPAUL

- =====
1. Satyadeo Yadav @ Satyadeo Prasad Yadav Son of Shyam Sundar Yadav
 2. Birendra Yadav@Bijendra Prasad Yadav Son of Satyadeo Yadav
 3. Satyadeo Yadav@Satyadeo Prasad Son of late Fahim Yadav
 4. Guneshwar Yadav Son of Sadanand Yadav
 5. Neman Yadav@Nemana Yadav Son of Sadanand Yadav
 6. Baleshwar Yadav Son of Late Bhola Yadav All residents of Village-Baisa, Police Station -Bhaptiyahi, district Suapaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate
For the Opposite Party/s : Mr. Murlidhar(APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 05-05-2016 Heard learned counsel for the petitioners and the

learned A.P.P. for the State.

Petitioners apprehend their arrest in connection

with Bhaptiyahi P.S. Case No. 72 of 2015 registered for

offences punishable under Sections 353, 365, 34 of the

Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, in brief, is that on

15.12.2015, informant's father after taking meal went to

sleep at his house and when on the next morning he did not

come, informant started searching him, but his father could

not be traced, hence, informant raised suspicion that due to

previous enmity on account of land dispute, accused persons have kidnapped his father.

It has been submitted by the learned counsel for the petitioners that petitioners have committed no offence and the allegations made upon the petitioners are not specific and no case under Section 27 of the Arms Act is made out against them. It has further been submitted that informant being co-villagers of the petitioners, there is land dispute between the parties and as per Annexure-2, the matter has been compromised and the father of the informant has been traced, who, on his own, had gone to Haridwar few years back and again he was found in Haridwar.

However, learned A.P.P. for the State submits that the petitioners are named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since the matter relates to civil dispute and has been compromised, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand only) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate,

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NOT

Supaul in connection with Bhaptiyahi P.S. Case No. 72 of 2015, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

(Nilu Agrawal, J.)

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