

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26811 of 2016

Arising Out of PS.Case No. -481 Year- 2015 Thana -MOHANIA District- BHABHUA (KAIMUR)

- =====
1. Sachchidanand Yadav @ Sachchita Yadav Son of Madan Yadav
 2. Kapil Yadav Son of Late Bihari Yadav
 3. Nand Lal Yadav @ Nandlal Singh Son of Late Sitaram Yadav
 4. Ramakant Yadav @ Ramakant Singh Yadav Son of Late Banshropan Yadav
 5. Radhakant Yadav @ Radhakant Singh Yadav Son of Late Banshropan Yadav
 6. Bhola Yadav Son of Ram Awatar Yadav
 7. Mangal Charan Singh @ Mangal Charan Yadav @ Mangal Charan Son of Nanhaku Yadav
 8. Dara Yadav Son of Nanhaku Yadav
 9. Sanjay Yadav Son of Madan Yadav
 10. Bablu Yadav Son of Munshi Yadav
 11. Binod Yadav Son of Munshi Yadav
 12. Nanhaku Yadav Son of Late Parmeshwar Yadav
- All are resident of village - Danialpur - Kurai, Police Station Mohania,
District - Kaimur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Pathak, Adv.
For the Opposite Party/s : Mr. Ram Shankar Das(Spl.APP)
For the Informant : Mr. Girish Chandra Sharma, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 04-07-2016 Heard learned counsel for the petitioners, counsel for
the State as also counsel for the Informant.

Learned counsel for the petitioners submits that this
anticipatory bail application has been rendered infructuous with
respect to petitioner nos. 10 and 11 as both of them have been
arrested.



In this case, the petitioners are apprehending their arrest in connection with Mohania P.S. Case No. 481 of 2015 (G.R. No. 2789 of 2015) for offence under Sections 147, 148, 149, 341, 323, 307, 114, 354(B), 436 of the Indian Penal Code and Section 3(I)(IV)(V)(X)(XI)XV, 2(III)(IV) of the SC/ST Act.

The present case relates to a land dispute, free fight from both sides leading to case and counter case. No specific allegation has been made against the petitioners except petitioner no.2, namely, Kapil Yadav whose name has been recorded in the First Information Report. Against the petitioner no.2, Kapil Yadav there is a specific allegation to have burnt the crops. In that view of the matter, this Court is not inclined to grant anticipatory bail to the petitioner no.2.

Accordingly, the prayer for anticipatory bail of the petitioner no.2, namely, Kapil Yadav is rejected.

Looking to the facts and circumstances of the case and the fact that there is no specific allegation of overt act against the rest of the petitioners, let the petitioner nos. 1, 3 to 9 & 12, namely, Sachchidanand Yadav @ Sachchita Yadav, Nand Lal Yadav @ Nandlal Singh, Ramakant Yadav @ Ramakant Singh Yadav, Radhakant Yadav @ Radhakant Singh Yadav, Bhola Yadav, Mangal Charan Singh @ Mangal Charan Yadav @

Mangal Charan, Dara Yadav, Sanjay Yadav and Nanhaku Yadav in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bhabua (Kaimur) in connection with Mohania P.S. Case No. 481 of 2015 (G.R. No. 2789 of 2015), subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shivaji Pandey, J)

Rishi/-

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