

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51557 of 2016

Arising Out of PS.Case No. -182 Year- 2016 Thana -BARHARA District- PURNIA

- =====
1. Ajit Yadav, son of Prithvi Yadav
 2. Prithvi Yadav, son of Late Sahdev Yadav All residents of village - Dewari, p.s. - Barhara, District Purnea.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party : Mr. Sri Ashok Kumar Singh 1 (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 19-12-2016 Petitioner no. 1 namely, Ajit Yadav has already been arrested and, as such, his prayer of pre-arrest bail has become infructuous. Accordingly, this Criminal Miscellaneous as against petitioner no.1 is hereby dismissed as withdrawn.

Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner no. 2 apprehends his arrest in connection with Barhara P.S. Case No. 182 of 2016, registered for the offences punishable under Sections 147, 148, 149, 452, 341, 323, 324, 307, 379, and 504 of the Indian Penal Code.

On behalf of the petitioner no.2 Prithvi Yadav, it is submitted that whatever submission is that specific allegation is against Ajit Yadav (petitioner no.1) and not against the petitioner



Prithvi Yadav, the petitioner is the father of Ajit Yadav and, as such, he has also been made accused in this case, only due to grazing the crops by shegoat the occurrence has taken place and, as such, the petitioner deserves sympathetic consideration. No offence under section 307 of the I.P.C. is made out against the petitioner.

The learned A.P.P. fairly submits that against the petitioner there is no specific allegation for committing any overt act and only allegation is that the petitioner and others came and started abusing.

In the facts and circumstances as stated above, considering the nature of allegation, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri P.K. Bharti, Judicial Magistrate, 1st Class, Purnea, in connection with Barhara P.S. Case No. 182 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

Rajiv/-

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