

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.1514 of 2016**

Arising Out of PS.Case No. -146 Year- 2015 Thana -KUSHESHWARSTHAN District-  
DARBHANGA

- =====
1. Pappu Kumar Yadav @ Pappu Yadav son of Kapo Yadav resident of Village- Mathar, Police Station- Alauli, District- Khagaria.  
2. Rajiv Kumar Yadav @ Rajiv Yadav Son of Bahadur Yadav, resident of Village- Mathar, Police Station- Alauli, District- Khagaria.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Suraj Narain Yadav

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

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2 12-01-2016

Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under sections 147,148,149,341,323,324,325,307,429,354B,448,380,436 and 504 of the Indian Penal Code and section 27 of the Arms Act.

It is alleged that 11 FIR named accused persons including the petitioners came to the door of the informant. Though the informant tried to flee away but he was confined by Pappu Yadav and on the order of Shivdhari Yadav, Tejo Yadav assaulted with farsa over the back portion of the head of the



informant when Ram Bharos Yadav assaulted with iron rod on the head of the informant causing fracture injury. On alarm being raised the wife of the informant came to rescue then Pappu Yadav tried to outrage her modesty. It is further alleged that co accused Ram Vinod Yadav took away the box containing ornaments and clothes whereas co accused Shivdhari Yadav set the house of the informant on fire.

It is submitted by the learned counsel for the petitioners that specific accusation has not been levelled against the petitioners who were guests in the village in question. The thrust of accusation is against another Pappu yadav, son of Shivdhari Yadav. It is further submitted that the accused persons also lodged K. Asthan P.S. Case No. 147 of 2015 making accusation under sections 307,436 and 354B IPC. 144 Cr.P.C. proceeding was also initiated between the parties. Specific accusation has not been made against the petitioners and out of three injuries one injury has been found to be grievous which has been alleged against Tejo Yadav whereas specific accusation of putting the house on fire is against co accused Shivdhari Yadav. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

The aforesaid facts constitute ground for

consideration of the prayer for regular bail of the petitioner by the learned court below in case the petitioners surrender within six weeks from today in connection with Kusheshwar Asthan P.S. Case No. 146 of 2015 pending in the court of learned SDJM, Benipur at Darbhanga.

This application is disposed of with the aforesaid observation/direction.

**(Dinesh Kumar Singh, J)**

Anil/-

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