

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45934 of 2016

Arising Out of PS.Case No. -88 Year- 2016 Thana -GAMAHARIA District- MADHEPURA

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1. Narendra Yadav
 2. Virendra Yadav Both sons of - Late Rajeshwar Mandal
 3. Indu Kumar, Son of Narendra Yadav All Residents of Village- Bhelwa, P.S.- Gamharia, District- Madhepura.
 4. Arun Yadav, son of Late Nanku Yadav, R/o Village- Itwa, P.S.- Gamaharia, District- Madhepura.
 5. Maheshwari Yadav Son of Late Hira Yadav, Resident of Village- Phulkaha, P.S.- Gamharia, District - Madhepura.
 6. Prabhat Kumar @ Prabhat Yadav, son of- Kartik Yadav,
 7. Kartik Yadav, Son of- Late Madhav Yadav, Both residents of Village- Itwa Jiwachhpur, P.S. Gamharia, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh, Adv.

For the Opposite Party/s : Mr. B.N. Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 28-11-2016 Heard both sides.

The petitioners apprehend their arrest in Gamharia P.S. Case No 88/2016, registered for the offences punishable under Section 307 and other sections of the Indian Penal Code.

The S.H.O. Gamharia alleged that there was prohibitory order under Section 144 of the Cr.P.C., but the petitioners came inside the premises and wanted to sit on *Dharna*. The demand of the petitioners was conducting of re-election on the post of Mukhia.

It is submitted that when the petitioners were asked to vacate the premises, the petitioner and about 2000 other persons damaged the property of the police and the government.

Learned counsel for the petitioner submits that the petitioners are villagers. They have no manner of concern with the defeated Mukhia. Petitioners have falsely been implicated in this case. Three cases for the same occurrence i.e. present Gamharia P.S. Case no. 88/2016, Gamharia P.S. Case No. 87/2016 and Gamharia P.S. Case No. 84/2016 have been registered by the S.H.O. Gamharia, B.D.O and Circle Officer, Gamharia

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged 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, Madhepura in connection with Gamharia P.S. Case No. 88/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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