

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47284 of 2016

Arising Out of PS.Case No. -283 Year- 2016 Thana -BIRAUL District- DARBHANGA

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1. Yogi Yadav S/o Faguni Yadav
2. Suresh Yadav S/o Param Yadav
3. Raja Ram Yadav S/o Ghuran Yadav
4. Sunil Yadav S/o Siya Ram Yadav
5. Sita Ram Yadav S/o Nanhki Yadav
All resident of village - Nisihara, P.S. Biraul, District - Darbhanga
..... Petitioners

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shalini Raut

For the Opposite Party/s : Mr. Sri Bisheshwar Ram

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 13-12-2016 Heard learned counsel for the petitioners and learned counsel representing the State.

Petitioners apprehend their arrest in connection with Biraul P.S. Case No. 283 of 2016 registered for the offences punishable under Sections 147, 148, 341, 323, 324, 307, 448, 354, 427, 379 of the Indian Penal Code.

Allegedly, the petitioners and other FIR named accused persons after forming unlawful assembly being armed came on the land of the informant and started surrounding the land by Jaffari which was opposed by the son of the informant then co-accused Chhedi Yadav with iron *khanti* and Kamlesh Yadav with spear assaulted both causing head and finger injury and both became unconscious and when the husband of the informant and others



came to save them, they were also assaulted by them by lathi-danda etc. and forcibly surrounded the land by Jaffari.

Submission is of false implication and that due to land dispute Chhedi Yadav has lodged two cases earlier and in retaliation this case has been lodged, there is no specific allegation against the petitioners and being the Gotiya of Chhedi Yadav they have been implicated in this case and as such the petitioners deserve sympathetic consideration to which the learned APP opposes.

In the facts and circumstances stated above, considering that against the petitioners there is no specific allegation, the allegations are omnibus and general in nature, the petitioners above named, in case of their surrender or arrest within two months from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Biraul, Darbhanga in connection with Biraul P.S. Case No. 283 of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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