

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14498 of 2016

Arising Out of PS.Case No. -750 Year- 2009 Thana -SAHARSA COMPLAINT CASE District-
SAHARSA

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1. Dhanik Yadav
2. Jawahar Yadav
3. Gholat Yadav @ Ramjee Yadav
4. Ram Chandra Yadav
5. Raj Kumar Yadav 1 to 5 are sons of Dorik Yadav
6. Rohit Yadav
7. Khelan Yadav
8. Bharat Yadav 6 to 8 are sons of Dhanik Yadav All are resident of village-
Godram P.S.- Basnahi, District- Saharsa

.... Petitioner/s

Versus

1. The State of Bihar
2. Ganesh Yadav, son of Laksho Yadav, Resident of village- Godram P.S.-
Basnahi, District- Saharsa

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Dhar Jha, Advocate
For the Opposite Party/s : Mr. Pushpa Sinha(APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 27-04-2016 Heard learned counsel for the petitioners and

learned APP for the State.

Counsel for the petitioners submits that petitioner
no. 1 Dhanik Yadav and petitioner no. 5 Raj Kumar Yadav have
since been arrested, hence, this application as against them has
become infructuous.

Petitioners apprehend arrest in connection with

Complaint Case No. 750C of 2009 (in which cognizance has been
taken) for offences alleged under Sections 420, 427, 379, 468, 471

of the Indian Penal Code.

The prosecution case, as lodged by the complainant/ informant, is that the petitioners along with others in order to grab the property of the complainant/ informant created a forged and fabricated document and also demolished his house and looted away the household articles.

It has been submitted by the learned counsel for the petitioners that there has been a long drawn land dispute between the petitioners and the complainant and in the aforesaid case earlier final form had been submitted but on the protest his complaint case has been taken up and cognizance taken against these petitioners. It has further been submitted that the petitioners have no criminal antecedent and a case and counter case is pending between the parties.

However, learned APP for the State submits that the petitioners are named in the First Information Report and, hence, opposes the prayer for bail.

Be that as it may, since the matter relates to civil dispute regarding landed property, let petitioners, above named, in the event of their arrest or surrender before the court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten thousand) each with two

sureties of the like amount each to the satisfaction of learned 1st
Class Judicial Magistrate, Saharsa, in connection with Complaint
Case No. 750C/2009, subject to the conditions as laid down under
Section 438(2) Cr.P.C.

(Nilu Agrawal, J.)

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