

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13770 of 2016

Arising Out of PS.Case No. -102 Year- 2015 Thana -ARER District- MADHUBANI

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1. Ramprit Yadav son of Late Saguni Yadav
 2. Ram Udgar Yadav son of Late Saguni Yadav
 3. Indu Devi wife of Ram Udgar Yadav
 4. Guriya Devi wife of Ramprit Yadav

All are residents of village - Ramnagar, P.S.- Arer, District-
Madhubani

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Advocate

For the State : Mr. P.K.Chaurasiya, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 01-04-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection with
Arer P.S. Case No. 102 of 2015 registered under Sections 341,
323, 354, 379 and 504/34 of the Indian Penal Code.

It is contended that no occurrence as alleged did ever
take place rather it was the prosecution who have committed the
occurrence with the petitioners for which petitioner no.1 Ramprit
Yadav had filed a petition before the local Serpanch of the
Panchayat on 19.11.2015. Thereafter, the Gram Kachahri Prajuwar
lodged case no.44 of 2015 dated 19.11.2015 against the informant
of the case. It is further contended that even as per the allegation

made in the FIR no offence is made out under section 354 of the Indian Penal Code. It is also contended that petitioner no.1 Ramprit Yadav, petitioner no.2 Ram Udgar Yadav and husband of informant are full brothers and are sons of Late Saguni Yadav. The entire dispute arose due to enmity existing from before and the injuries sustained by the members of the prosecution party are all simple in nature.

Learned counsel for the State has opposed the application for grant of pre-arrest bail to the petitioners.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within four weeks from today, the petitioners, namely, Ramprit Yadav, Ram Udgar Yadav, Indu Devi and Guriya Devi are directed to be released 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 Sri Ajay Kumar, learned Judicial Magistrate, 1st Class, Benipatti in connection with Arer P.S.Case No. 102 of 2015 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

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