

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14439 of 2016

Arising Out of PS.Case No. -8 Year- 2016 Thana -BARHARA District- PURNIA

- =====
1. Anandi Yadav son of Late Darbari Yadav, Resident of Village- Bhangha Tula, P.S.- Barhara, District- Purnea.
 2. Anmol Yadav, son of Anandi Yadav, Resident of Village- Bhangha Tula, P.S.- Barhara, District- Purnea.
 3. Nand Kishore Yadav, son of Laxman Yadav, Resident of Village- Bhangha Tula, P.S.- Barhara, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Kumar Kaushik, Advocate
For the Opposite Party/s : Mr. Uday Pratap Singh(APP)

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 20-04-2016 Heard learned counsel for the petitioners and

learned APP for the State.

Petitioners apprehend arrest in connection with

Barhara P.S. Case No. 08/16 for offences alleged under Sections

379, 435, 504/34 of the Indian Penal Code.

The prosecution case, as alleged by the informant,

is that all the petitioners including one co-accused set the paddy of

20 bighas of land harvested and kept at the door of co-accused on

fire.

It has been submitted by the learned counsel for

the petitioners that petitioner nos. 1 and 3 have no criminal



history, whereas petitioner no. 2 has one case pending against him relating to land dispute. It has further been submitted that the petitioners are innocent and petitioner no. 3 is own brother of the informant, who did not connive with the informant and hence this false case has been lodged against the petitioners and one another. He further submits that the said co-accused person on whose Darwaja grains were kept, has since been granted the privilege of anticipatory bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 9963 of 2016 on 03.03.2016. Furthermore, counsel for the petitioners submitted that the date of occurrence is 27.12.2015 but the First Information Report has been lodged after inordinate delay.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioners are named in the First Information Report.

Considering the nature of allegation and that the other co-accused on similar allegation has been granted the privilege of anticipatory bail, 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

Judicial Magistrate 1st Class, Purnea, in connection with Barhara
P.S. Case No. 08/16, subject to the conditions as laid down under
Section 438(2) Cr.P.C.

(Nilu Agrawal, J.)

Rajesh/-

U		T	
---	--	---	--