

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49989 of 2016

Arising Out of PS.Case No. -84 Year- 2016 Thana -GAMAHARIYA District- MADHEPURA

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1. Narendra Yadav son of Late Rajeshwar Mandal
 2. Indu Kumar son of Narendra Yadav
 3. Virendra Yadav son of Late Rajeshwar Mandal
 4. Md. Alam son of Late Amsul
 5. Ravindra Kumar Yadav @ Ravindra Yadav son of Chhotelal Yadav
 6. Bishundeo Yadav son of Late Fagu Yadav
 7. Nand Kishore Yadav son of Bhagwat Yadav
 8. Ramsagar Mehta son of Late Kishundayal Mehta
 9. Mahendra Yadav son of Late Kamleshwari Yadav
 10. Sanjay @ Narayan Yadav son of Jagdish Yadav
 11. Dilip Yadav son of Kusumlal Yadav
 12. Shiv Kumar Yadav son of Late Rajeshwar Yadav
 13. Ratan Yadav son of Late Jagdeo Yadav
 14. Madan Yadav son of Late Jagdeo Yadav
 15. Ved Prakash Yadav son of Madneshwar Yadav
 16. Randhir Yadav son of Bhuvneshwar Yadav
 17. Mannu Kumar Singh son of Dayanand Singh
 18. Jay Prakash Singh son of Late Sadanand Yadav
 19. Bijendra Yadav son of Asharfi Yadav
 20. Jay Narayan Yadav son of Late Awadh Yadav
 21. Rajendra Yadav son of Late Bhumi Yadav
 22. Balkrishna Yadav son of Rajendra Yadav
- All R/o village- Bhelwa, P.S.- Gamharia, District- Madhepura

.... Petitioners

Versus

The State of Bihar

... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Jha

For the Opposite Party/s : Mr. Sri Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 16-12-2016

Heard learned counsel for the petitioners and learned counsel representing the State.

Learned counsel for the petitioners seeks permission to make correction in paragraph one and prayer portion of this application. Prayer is accorded.



Learned Counsel for the petitioners further submitted that petitioners no. 3 and 8 namely, Virendra Yadav and Ramsagar Mehta have been arrested and as such this application for pre-arrest bail on their behalf became infructuous and as such seeks permission to withdraw this application so far as petitioners no. 3 and 8 are concerned.

Prayer is allowed. Accordingly, this application for pre-arrest bail on behalf of petitioners no. 3 and 8 is dismissed as withdrawn.

Petitioners apprehend their arrest in connection with Gamharia P.S. Case No. 84 of 2016 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 353, 307, 337, 338, 427 of the Indian Penal Code and Section 27 of the Arms Act.

Co-accused Mina Devi was contesting the Mukhiya election and she was demanding recounting and for that she, the petitioners and other 100 supporters entered into the premises of vote counting and started pelting stones which caused injury to the Police personnel.

Submission is of false implication and that there is general and omnibus allegation and for this occurrence another FIR was lodged by Circle Officer in which the accused persons were



granted anticipatory bail on 28.11.2016 and 19.10.2016 in Cr. Misc. No.45934 and 42642 of 2016 respectively. The petitioners have no criminal background rather they have been made accused in this occurrence for which several cases have been lodged. Mina Devi has already been allowed pre-arrest bail vide Cr. Misc. No. 47816 of 2016 on 18.11.2016 by another co-ordinate Bench of this Court.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, the petitioners above named, in case of their surrender or arrest within four weeks 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 Sri S. K. Singh, A. C.J.M. IV, Madhepura in connection with Gamharia P.S. Case No. 84 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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