

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4003 of 2016

Arising Out of PS.Case No. -148 Year- 2015 Thana -BAIRIYA District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Birendra Yadav S/o Laxman Yadav,
 2. Surendra Yadav,
 3. Shiy Nath Yadav, Sons of Raushan Yadav,
 4. Tarkeshwar Yadav, S/o Bishambhar Yadav,
 5. Yadav Lala Yadav, S/o Late Nagina Yadav, All are resident of village
- Tadhwandpur, Khalwa Tola, P.S. Bairiya, District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aditya Nath Jha
For the Opposite Party/s : Mr. Nand Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-01-2016

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 447, 147, 148, 149, 341, 323, 324, 379, 504 of the Indian Penal Code and Section 3/4 of the Witch Practices Act.

The prosecution case is that on 06.06.2015 the accused persons came variously armed as they wanted to obstruct the way of the informant and when protest was made then co-accused Bhutti Yadav started abusing and assaulted with farsa to the mother of the informant but injury was caused to the aunt of the informant. It is alleged that co-accused Babu Yadav assaulted with dabia to the mother of the informant. Thereafter all the accused persons made assault and petitioner No. 5 Yadav Lala Yadav took out Rs. 3700/- from the pocket of

the informant.

It is submitted by learned counsel for the petitioners that accusation of assault is not against the petitioners. For the occurrence of 06.06.2015 the F.I.R was registered on 07.06.2015.

A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Considering the fact that accusation of assault is not levelled against the petitioners, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Bettiah, West Champaran in connection with Bairiya P.S. Case No. 148 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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