

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52557 of 2015

Arising out of PS.Case No. -1933 Year- 2012 Thana -PURNIA COMPLAINT CASE District-
PURNIA

- =====
1. Ram Chandra Yadav, Son of Late Raghav Yadav.
 2. Dinesh Yadav, Son of Ramfal Yadav.
 3. Randhir Yadav, Son of Ramchandra Yadav.
 4. Khushbu Devi, Wife of Sudhir Yadav.
 5. Shobha Devi, Wife of Randhir Yadav.
 6. Amrendra Yadav, Son of Chitranjan Yadav.
 7. Sushila Devi, Wife of Ramchandra Yadav.
 8. Sudhir Yadav, Son of Ramchandra Yadav. All resident of village -
Belabadan Pipra, P.S. - Banmankhi, District - Purnea.

.... Petitioners

Versus

1. The State of Bihar.
2. Hira Devi, Wife of Mahendra Yadav, resident of Village - Bela Badan,
Pipra, Banmankhi, District - Purnea.

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Pramod Kumar Mallick, Advocate.
For the State : Mr. A.L.Pandit(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 19-02-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection with Complaint Case No. 1933 of 2012 for the offences instituted under Sections 452, 380/34 of the IPC and ¾ of the Dian Act.

The prosecution story, in brief, is that on 16.05.2012 at about 5 P.M. while the complainant and her daughter and women



of the village were at her house and at that time her husband and son went to the village. In the meantime, all the accused persons including these petitioners having lathi-danda reached her house and started abusing her by saying Dian as she does ill to their boy and gave threat to kill her by dragging on road and administered stool to her. The accused persons entered into her house and started assaulting and dragged her from her house and on the order of accused Ram Chandra Yadav, accused Sushila Devi and Shobha Devi and Khushbu Devi brought stool in a earthen pot for administering her but on hulla, her husband, son and witnesses came on account of which accused persons could not succeed to administer stool to her. Accused Randhir Yadav and Sudhir Yadav took cash of Rs.27,500/- after breaking the lock of the box and also took ornaments of her daughter-in-law amounting to Rs.80,000/-.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. The alleged occurrence is 16.05.2012 but the complaint case was filed on 21.05.2012. The delay has not been explained by the prosecution. Both the parties are residents of same village and for some petty reasons the petitioners have falsely been implicated in the present case.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Complaint Case No. 1933/2012 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Purnea, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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