

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50661 of 2016

Arising Out of PS.Case No. -137 Year- 2016 Thana -BANMANKHI District- PURNIA

- =====
1. Pandav Yadav @ Dinesh Yadav Son of Madan Yadav.
 2. Vishal Kumar Yadav @ Vishal Kumar Son of Banarasi Yadav. Both resident of Village- Chakla, P.S.- Banmankhi, District- Purnea.
 3. Mithilesh Yadav Son of Shambhu Yadav.
 4. Mukesh Yadav Son of Shambhu Yadav. Both resident of Village- Damgara, P.S.- Dhamdaha, District- Purnea.
 5. Jalo Yadav Son of Chandi Yadav, resident of Village- Kuthari, P.S.- Banmankhi, District- Purnea.
 6. Dilip Kumar Sah @ Dilip Sah, Son of Jagarnath Sah, resident of Village- Baseti, P.S.- Bausi, District- Araria.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha
For the Opposite Party/s : Mrs. Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-11-2016 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Banmankhi P.S. Case No. 137 of 2016 for the offences instituted under Sections 147, 148, 149, 323, 307, 341, 354, 427, 448, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioners is of committing assault on the informant and his family members. It is further alleged that the petitioner Pandav is said to have shot fire from his



country made pistol upon the informant but he managed to escape. Further petitioner Mithilesh Yadav is said to have dragged the daughter of the informant and when his wife came to save her, she was also assaulted by him. It is further alleged that they ransacked the house hold articles and threatened to kill him and thereafter they fled away.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. They have falsely been implicated in the present case. A petition has been filed on behalf of the informant vide Annexure-2 to the present application stating that the case has been instituted due to mistake of fact. None is said to have injured in course of occurrence.

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 anticipatory 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 Banmankhi P.S. Case No. 137 of 2016 on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like

amount each to the satisfaction of learned A.C.J.M.-VI, 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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