

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4845 of 2017

Arising Out of PS.Case No. -78 Year- 2016 Thana -NAUHATTA District- SAHARSA

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1. Ram Kumar Yadav, son of Late Bishwanath Yadav
2. Kailash Yadav, son of Late Bishwanath Yadav
3. Krishan @ Kusho Yadav @ Kisho Yadav, son of Late Bishwanath Yadav
4. Raj Kumar Yadav, son of Late Bishwanath Yadav All Residents of
Village- Narayanpur, P.S. Nauhatta, District Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sameer Ranjan, Advocate

For the Opposite Party/s : Mr. Sri Jai Narain Thakur, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-02-2017 Heard the parties.

This application has been filed in connection with Nauhatta (Darhar O.P.) P.S. Case No. 78 of 2016 for the offence under Sections 147, 148, 149, 504, 341, 323, 325, 307, 379 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

Submission of learned counsel for the petitioner is that no specific allegation against the petitioner has been levelled. They are only the members of the mob. There is case and counter case between the parties and while occurrence took place due to the election rivalry and the petitioners have no criminal antecedent.

Heard learned A.P.P. also.

Having heard both sides. In view of the fact that there is no allegation of assault against the petitioners and they are only the



member of mob and there is case and counter case, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Saharsa in connection with Nauhatta (Darhar O.P.) P.S. Case No. 78 of 2016, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police otherwise the prosecution is free to move for cancellation of their bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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