

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28905 of 2017

Arising Out of PS.Case No. -132 Year- 2017 Thana -GOGRI District- KHAGARIA

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1. Narad Yadav, Son of Subhuk Lal Yadav,
2. Mannu Yadav, Son of Narad Yadav,
3. Koko Yadav, Son of Maheshwar Yadav,
4. Rashbihari Yadav, Son of Late Kamleshwari Yadav, All Resident of Village- Paura, Gogari, P.S.- Gogari, District- Khagaria.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate
For the Opposite Party/s : Mr. Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 14-07-2017 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in connection with a case registered under Sections 364/384 of the Indian Penal Code.

Allegation in brief is that while the informant was irrigating his field all accused persons had turned up and opened fire and kidnapped his brother and threatened to kill him.

Submission is that due to land dispute for taking possession of Gairmazrua land, this false allegation is levelled and so called kidnapped person returned back after few days. There is also delay of a day in lodging F.I.R. and allegation against petitioners are general and omnibus and they have no criminal



antecedent.

However, considering the nature of allegation and the statement of kidnapped person recorded under Section 164 Cr.P.C., the prayer for anticipatory bail of petitioners, namely, Narad Yadav, Mannu Yadav, Koko Yadav and Rashbihari Yadav in connection with Gogari (Paura) P.S. Case No.132 of 2017, G.R. No.808 of 2017 pending in the court of Shri Brajesh Kumar, Judicial Magistrate 1st Class, Khagaria is rejected.

However, if the petitioners surrender and seek regular bail, the same shall be disposed of on merit without being prejudiced by this order.

(Arun Kumar, J)

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