

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32637 of 2017

Arising Out of PS.Case No. -14 Year- 2017 Thana -JAYNAGAR District- MADHUBANI

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1. Mahendra Yadav, son of Raghubir Yadav,
2. Amar Kumar @ Amar Yadav, son of Mahendra Yadav, resident of
Karharba, P.S.- Jainagar, District- Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate.

For the Opposite Party/s : Mr. Sri Anil Kumar Singh 1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 10-08-2017 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Jai Nagar P.S. Case No. 14 of 2017, registered under Sections
147, 148, 149, 447, 341, 323, 324, 307, 354 and 504 of the Indian
Penal Code.

The allegation of informant, Ram Udgra Mukhiya, is
that, on 13.01.2017, in the evening, his niece Sondai Kumari was
being forcibly carried by Ram Promod Yadav, son of Ramashish
Yadav, with intention to commit rape but niece of the informant
raised alarm and succeeded to flee away and made complaint in
her house. Thereafter, Deo Narain Mukhiya, father of Sondai
Kumari, went at the house of Ram Promod Yadav for making



complaint and arranging the Panchayati. Thereafter, seven persons named in the F.I.R. including the petitioners having lathi, Khanti and stick reached at the house of Bechan Mukhiya and started to search Bechan Mukhiya. At that time, on seeing Bechan Mukhiya, Ram Promod Yadav started to cause assault at his head through Khanti and others also assaulted through lathi and stick, in which, he sustained injury. Thereafter, Bechan Mukhiya, rushed to the hospital for treatment, where he died.

Learned counsel for the petitioners submits that it would appear from the F.I.R. that niece of the informant was being carried by co-accused, Ram Promod Yadav, son of Ramashish Yadav, with intention to commit rape and petitioners have no concern with the family of Ram Promod Yadav but due to dirty village politics the petitioners have falsely been implicated in this case. Further submission is that petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners 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, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial



Magistrate, Madhubani, in connection with Jai Nagar P.S. Case
No. 14 of 2017, subject to the condition as laid down under
Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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