

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45169 of 2016

Arising Out of PS.Case No. -34 Year- 2016 Thana -JADIA District- SUPAUL

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1. Upendra Yadav, Son of Harinandan Yadav,
2. Harinandan Yadav, Son of Late Basu Yadav, Both are Resident of
Village- Guriya Tola Nawdihi, P.S.- Jadia, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Nikesh

For the Opposite Party/s : Mr. Mr. Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 13-01-2017 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Jadia Police Station Case No. 34 of 2016 registered for the
offences punishable under Sections 341, 323, 379, 504, 506,
436/34 of the Indian Penal Code.

Petitioners are named in the first information report
and it is alleged that they along with others having entered into the
house of informant, not only assaulted him but also committed
loot and, thereafter, at the instigation of petitioner no.1, petitioner
no. 2 set the house of the informant on fire.

Submission on behalf of the petitioners is that the



present occurrence is said to have taken place on 03.04.2016 whereas first information report was lodged on 8.4.2016 and no explanation regarding the aforesaid delay was given. Moreover, when the I.O visited on the place of occurrence, no sign of burning was found there and, therefore, the aforesaid fact creates doubt about the genuineness of the prosecution case. It is also submitted that the petitioners are agnates of the informant and there was land dispute between the parties.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioners, in the event of their arrest/surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, Supaul in Jadia Police Station Case no. 34 of 2016, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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