

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50012 of 2016

Arising Out of PS.Case No. -202 Year- 2016 Thana -ALOU LI District- KHAGARIA

- =====
1. Indra Devi wife of Mangal Yadav
 2. Manju Devi wife of Mohan Yadav
 3. Sujan Devi wife of Manilal Yadav
 4. Manilal Yadav son of Santu Yadav
 5. Chano Devi wife of Kailash Yadav
 6. Kailash Yadav son of Manilal Yadav All are resident of village Ladaura
P.S. Alauli District Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Paras Nath

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh 1

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 04-02-2017 Heard the learned counsel for the petitioners as well
as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Alauli P.S. Case No. 202 of 2016 for the offences punishable under sections 147, 148, 149, 323, 341, 324, 504 and 506 of the I.P.C and section 27 of the Arms Act.

Allegedly, the petitioners and co-accused came at the house of the informant, petitioner no.6 was armed with 3-nut and the rest were armed with lathi-danda and after saying the informant Dyne told to kill her and then all started assaulting with fat, feet and lathi and when Anita Devi came for rescue she was



also assaulted by all and when Shankar Yadav came for rescue Kailash Yadv opened fire but luckily the same did not hit, thereafter another witness came and intervened into the matter and saved the life of the informant and others.

Submission is of false implication and that there is no specific allegation, the allegations are omnibus and general in nature and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioners by submitting that all were assaulting the informant after saying her as Dyne and when Anita Devi came for rescue of the informant she was also assaulted by all and when Shankar Yadav came Kailash Yadav opened fire.

In the facts and circumstances as stated above, considering that on the plea that the informant is Dyne she was assaulted by the petitioners and as such I am not inclined to grant privilege of pre-arrest bail to the petitioners and accordingly their prayer for pre-arrest bail stands rejected in connection with the above mentioned case pending in the court of C.J.M. Khagaria.

(Jitendra Mohan Sharma, J)

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