

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3469 of 2017

Arising Out of PS.Case No. -87 Year- 2016 Thana -GAMAHARIYA District- MADHEPURA

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1. Prabhash Yadav, Son of - Late Rajendra Yadav, Resident of Village-Itwa, P.S. Gamhariya, District- Madhepura.
 2. Pawan Bhagat, Son of Adhiklal Bhagat.
 3. Gangesh Bhagat, Son of Sahdeo Bhagat, Both Resident of village-Gamhariya, P.S.- Gamhariya, District- Madhepura.... Petitioner/s
- Versus

1. The State of Bihar. Opposite Party/s
- =====

Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh

For the Opposite Party/s : Mr. Sri Brajendra Nath Pandey

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 14-02-2017 Heard learned counsel for the petitioners and
learned counsel for the State.

Petitioners apprehend arrest in connection with
Gamharia P.S. Case No. 87 of 2016 registered under Sections-
307 and other allied sections of the Indian Penal Code.

It is alleged that when the informant was coming
to his residence after official duty, about 500 persons entered
into the premises of the Block, caught hold of the informant,
dragged him, assaulted him and obtained his signature of blank
papers on the point of pistol. They threatened to set fire the
ballot box, block office and police station and blocked the road.
On information, ASP, Madhepura reached. He was also kept
surrounded for seven hours. Staff of block office disclosed the
name of the accused persons.



Learned counsel for the petitioners submits that the entire prosecution story is fictitious and petitioners have been implicated in this case falsely with intention to harass them. During course of investigation, no witness has supported the prosecution case. Only because the petitioners are resident of the village, they have been made accused in the present case. Similarly situated co-accused persons have been granted bail by this Court vide orders dated 03.10.2016, 19.10.2016, 10.11.2016, 28.11.2016 and 05.12.2016 passed in Cr. Misc. Nos. 41993/2016, 42642/2016, 47056/2016, 50236/2016 and 45968/2016 respectively.

Considering the facts and circumstances of the case, the petitioners, above named, in the event of arrest or surrender within a period of four weeks from today, are directed to 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 Additional Chief Judicial Magistrate IV, Madhepura in connection with Gamharia P.S. Case No. 87 of 2016 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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