

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2042 of 2017

Arising Out of PS.Case No. -544 Year- 2015 Thana -BARACHATTI District- GAYA

- =====
1. Rambali Yadav, son of Munni Yadav.
 2. Suresh Yadav, son of Munni Yadav.
 3. Rajkumar Yadav, son of Late Kameshwar Yadav.
- All resident of village-Khardih, P.S. Mohanpur, District-Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.
For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 31-01-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek bail in connection with Barachatti (Mohanpur) P.S. Case No.544 of 2015 registered under Sections 147, 149, 448, 341, 323, 325, 307, 302, 379, 504 and 506 of the Indian Penal Code.

The accusation is that on 12.12.2015, 12 persons, named in the F.I.R., including the petitioners variously armed with weapons came at the door of the informant and started to abuse due to dispute of tying the animals. When the informant reached his house, he saw his father Ganauri Yadav in an unconscious stage whereas his wife Dulariya Devi, Muneshwar Yadav, Brij



Yadav, Narayan Yadav, Sushila Devi and Malwa Devi sustaining injuries. While all were rushed to the Primary Health Centre for treatment but Ganauri Yadav, the father of the informant, died.

Learned counsel appearing on behalf of the petitioners submits that while the petitioners are named in the F.I.R. but there is general and omnibus allegation against them to cause injury to the father of the informant. No specific allegation is attributed to the petitioners to cause injury to the father of the informant. Further submission is that due to land dispute, the occurrence of “Maar-Peet” took place between the parties in which the defence side also sustained injuries regarding which on the basis of the written report of the co-accused Shiv Kumar Yadav, Barachatti (Mohanpur) P.S. Case No.546 of 2015 under Sections 147, 341, 323, 307, 337, 504 and 506 of the Indian Penal Code was instituted against the informant of the present case and others. Similarly situated co-accused Kirtu Yadav and Vijay Yadav have already been granted bail by a Bench of this Court vide order dated 07.09.2016 passed in Criminal Misc. No.24553 of 2016. It is further submitted that the petitioners having no criminal antecedents are in custody since September, 2016.

Having regard to the facts and the circumstances of the case, the petitioners, above named, are directed to be released on



bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand)
each with two sureties of the like amount each to the satisfaction
of the Additional Chief Judicial Magistrate, Sherghati, Gaya, in
connection with Barachatti(Mohanpur) P.S. Case No.544 of 2015.

(Rajendra Kumar Mishra, J)

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