

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15402 of 2017

Arising Out of PS.Case No. -151 Year- 2016 Thana -NAYA RAM NAGAR District- MUNGER
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1. Vinod Yadav, son of Natho Yadav.
2. Manoj Kumar Yadav @ Manoj Yadav, son of Natho Yadav, resident of Village- Herudiyara, P.S.- Nayaram Nagar, District- Munger.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s
=====

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 18-07-2017 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Naya Ram Nagar (Safiyasarai) P.S. Case No.151 of 2016 registered under Sections 147, 148, 149, 384, 386, 307 and 504 of the Indian Penal Code besides Section 27 of the Arms Act.

The accusation is that on 18.10.2016 at about 07.30 in the evening, the informant after collecting the fish from Dakranala was selling the same in a room. At that time, Natho Yadav, Saurabh Raj alias Hittu Kumar and the petitioners, alongwith 4-5 unknown having pistols in their hands came there and started to abuse to the informant. Thereafter, Natho Yadav asked the



informant as to why he is fishing without payment of ransom Rs.5,00,000/-. In that course, Nahto Yadav pointed pistol on the chest of the informant and took Rs.40,000/- from his pocket and asked the informant that if Rs.4,60,000/- is not paid, he will be killed. At that time, the petitioner no.2 Manoj Yadav asked to kidnap the informant and, thereafter, all of them started to take away him towards Bahiyar. The informant, anyhow, managed to escape but, in that course, they shot fire at him but he saved himself. The occurrence was seen by Baleshwar Choudhary, Dharendra Yadav, Dilip Yadav, Sudhir Yadav and Dinesh Yadav.

Learned counsel appearing on behalf of the petitioners submits that there is dispute of fishing in between the parties and the informant used to fishing forcibly at Dakranala pond regarding which complaint was also made against the informant and others by Natho Yadav and application was also given to the concerned Officer Incharge on 04.07.2015 by Natho Yadav. Due to that reason, the informant has lodged this false case. Moreover, neither the informant nor anyone sustained any injury in the alleged occurrence.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on



bail on their 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-I, Munger, in connection with Naya Ramnagar (Safiyasarai) P.S. Case No.151 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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