

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45557 of 2017

Arising Out of PS.Case No. -180 Year- 2017 Thana -GOGRI District- KHAGARIA

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1. Narayan Yadav, S/o Late Jamun Yadav,
 2. Rajiv Yadav @ Rajgir Yadav @ Rajeev Kumar Yadav, S/o Narayan Yadav,
 3. Rajesh Yadav @ Rakesh Yadav, S/o Narayan Yadav.
 4. Mithilesh Yadav, S/o Narayan Yadav,
 5. Prabhash Yadav @ Pintu Yadav, S/o Narayan Yadav.
 6. Kapla Yadav, S/o Buccho Yadav, all are R/o Vill.- Patraun, Fudkichak, P.S.- Gogari, Distt.- Khagaria.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Sanjeev Kumar Singh, Advocate.

For the Opposite Party : Mr. Mithilesh Kumar Khare, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-09-2017 Heard learned counsel for the petitioners and earned A.P.P. for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 447, 341, 323, 379, 506/34 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that the informant has land at Mauja Itahari over which the wheat crop was ripe and for harvesting of the wheat crop she had filed informatory petitions on 10.04.2017 before S.D.M. and S.H.O. Gogri. On 14.04.2017, while she had gone to watch her field, saw that the



petitioners alongwith unknown co-accused persons had up-rooted and looted away the wheat crop and also opened firing upon her, her husband and relative Sudhir Yadav, assaulted her husband and relative, abused her and snatched gold chain and motorcycle. Co-accused Jitendra Nath Mishra told that he is an Advocate and he would implicate her entire family members in a rape case.

It has been submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. There is admitted land dispute between the parties. The alleged occurrence is said to have taken place due to harvesting of wheat crops. The land in question on which the crops were being harvested is claimed by the petitioners and they are in possession of the land in question. A title suit is also pending in the court below.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of



Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Khagaria, in connection with Gogari P.S. Case No. 180/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

