

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21319 of 2017

Arising Out of PS.Case No. -160 Year- 2016 Thana -BITHAN BAZAR District- SAMASTIPUR

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1. Paro Yadav, son of Late Lutan Yadav,
 2. Pradeep Yadav,
 3. Munilal Yadav, Both sons of Ram Udgar Yadav,
 4. Kishore Yadav,
 5. Kuldeep Yadav, Both sons of Devendra Yadav, All are residents of Village- Khutauna, Batardiha, P.S.- Bithan, District- Samastipur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ashok Kumar Mishra, Advocate

For the Opposite Party : Smt. Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-05-2017 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Bithan P.S. Case No. 160 of 2016 for the offences instituted under Sections 341, 323, 354 and 427/34 of the IPC.

The prosecution story, in brief, is that while the wife of the informant Saini Yadav forbade the accused persons not to plough the field then after accused persons assaulted with fist and slaps and when Jai Prakash Yadav son of the informant came to save his wife, accused persons started firing upon him(son of the informant) anyhow, he saved his life.

It has been submitted on behalf of the petitioners that the



petitioner nos. 1-4 have no criminal antecedent. There is one criminal case relating to land dispute pending against the petitioner no. 5. There is no allegation of tampering with the witnesses alleged against the petitioners. They have falsely been implicated in the present case due to mistake of fact. It is a case and counter case between the parties. The petitioners are said to have injured in course of occurrence. General and omnibus allegation has been made against them.

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Bithan P.S. Case No. 160/2016 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Rosera, Samastipur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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