

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26769 of 2017

Arising Out of PS.Case No. -5 Year- 2017 Thana -CHAPRA RAIL P.S. District- SARAN

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1. Rajendra Yadav, Son of Late Munder Yadav,
 2. Saroj Yadav, Son of Rajendra Yadav,
 3. Umesh Yadav, Son of Rajendra yadav,
 4. Bablu Yadav, Son of Rajendra Yadav, All Resident of Village- Pipra, P.S.- Daraunda, District- Siwan.
 5. Deeplal Sah, Son of Gopal Sah, Resident of Village- Hardiyara, P.S.- Daraunda, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur

For the Opposite Party/s : Mr. Abhay Kumar Roy

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 13-07-2017 Heard the learned counsel for the petitioners as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Chapra Rail P.S. Case No. 05 of 2017 for the offences punishable under sections 341, 323, 379 and 504/34 of the I.P.C.

Allegedly, the petitioners took away the Gumti containing articles and cash of the informant on the tractor and the tractor was of petitioner no.5.

Submission is of false implication and that the occurrence is of 15.01.2017 but the FIR has been lodged on 03.02.2017 after much delay, all the allegations are concocted and false, as a matter of fact the petitioner Rajendra Yadav is full



brother of the informant and petitioners Saroj Yadav, Umesh Yadav and Bablu Yadav are sons of petitioner Rajendra Yadav, petitioner Saroj Yadav is a Railway employee as trolley man and on the alleged date and time of occurrence he was on duty, the said Gumati was being run by the petitioner Rajendra Yadav on the land of the Railway at Daraaunda which was allotted in his name and he has been paying rent to the Railway and as such the offence under section 379 of the I.P.C. is not made out and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioners.

In the facts and circumstances as stated above, considering that the petitioner Rajendra Yadav is license holder of the land of Railway and as such the petitioners, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of. A.C.J.M (Railway), Sonapur (Saran) in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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