

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.43324 of 2017**

Arising Out of PS. Case No.-310 Year-2016 Thana- DUMRAUN District- Buxar

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1. Rabindra Yadav, Son of Sri Kedar Singh,
  2. Lallu Yadav @ Lallu Kuamr Yadav @ Lallu Kumar Son of Ramashankar Singh,
  3. Vijay Shankar Singh Son of Sri Dedar Singh,
  4. Bhola Yadav Son of Sri Samrikh Singh, All are R/o Village-Navadhara, P.S.- Dumaron, District- Buxar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rajiv Ranjan Kr. Pandey

For the Opposite Party/s : Mr. SRI UMANATH MISHRA

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**

ORAL ORDER

2      22-09-2017      Heard learned counsel for the parties.

This application for anticipatory bail arises out of Dumraon P.S.Case N0. 310 of 2016, disclosing offences under Sections 147, 149, 429 and 436 of the Indian Penal Code.

The allegation against the petitioners is that they set on fire the informant's hut where his cattle were kept tied. It is not the allegation that they saw the accused persons setting the hut on fire. It is alleged that after the occurrence they saw the accused persons standing near the hut and announcing loudly that they would ruin entire thing.

Learned counsel for the petitioners has made two submissions. He has submitted that prior to the lodging of the



First Information Report, the petitioners' side had lodged FIR on the same date registered as Dumraon P.S. Case No. 309 of 2016 for the offence punishable under Sections 147, 148, 149, 341, 323, 379, 307, 504 and 337 of the Indian Penal Code. According to him, the lodging of the present FIR is retaliatory. He has secondly submitted, referring to the order passed by the learned Additional Sessions Judge-6, Buxar rejecting anticipatory bail of the petitioners that though there is allegation that the few cattle also died due to fire, no material was available to substantiate this significant aspect.

Considering the above, this application is allowed.

Let the petitioners above named in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail 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 Chief Judicial Magistrate, Buxar in Dumaron P.S. Case No. 310 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to



appear before the Court on two consecutive occasions, their bail  
bonds shall be liable to be cancelled.

**(Chakradhari Sharan Singh, J)**

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