

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42203 of 2017

Arising Out of PS.Case No. -45 Year- 2017 Thana -SARSI District- PURNIA

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1. Dayanand Yadav, Son of Late Ram Kishun Yadav.
 2. Ashok Kumar, Son of Sri Dayanand Yadav.
Both resident of Village- Masuria, Kothi Tola, P.S.- Sarsi, District-
Purnea.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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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

2 19-09-2017 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Sarsi P.S. Case No.45 of 2017 registered under Sections 341, 323,
324, 307, 354-B, 379, 504 and 506/34 of the Indian Penal Code.

The accusation is that on 07.05.2017 at about 09.00 P.M.,
the informant Shyamanand Yadav was talking with Sunil Kumar
Vishwas and Domi Yadav at his door. At that time, the petitioners
alongwith Kundan Kumar, Dinesh Yadav and some unknown
armed with weapons came there and started to cause assault to the
informant saying that as to why he is not withdrawing the case



lodged by his son Subodh Yadav. Thereafter, all forcibly carried the informant to the house. When the wife and daughter-in-law of the informant rushed to save him, all started to cause assault to them and commit loot at the house and Dinesh Yadav took Rs.65000/- from the briefcase. At that time, the petitioner no.2 snatched the gold chain from the neck of the daughter-in-law of the informant worth Rs.80000/-. At that time, Kundan Kumar caused injury at the head of the informant through Farsa.

Learned counsel appearing on behalf of the petitioners submits that the petitioners are agnates of the informant. Earlier, the son of the informant had lodged Sarsi P.S. Case No.28 of 2017 for the offence under Sections 341, 323 and 324/34 of the Indian Penal Code against the petitioners and others in which the petitioners were allowed anticipatory bail. Thereafter, only to put pressure upon the petitioners, the informant has lodged the present case. Moreover, the specific allegation to cause injury at the head of the informant through Farsa is against Kundan Kumar and the injury as found on the person of the informant is simple in nature. So far as the allegation against the petitioner no.2 of snatching the gold chain from the neck of the daughter-in-law of the informant is concerned, the same has been made only to make the case strong.



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 Sri D. Prakash, Judicial Magistrate, First Class, Purnea, in connection with Sarsi P.S. Case No.45 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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