

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58879 of 2018

Arising Out of PS.Case No. -118 Year- 2017 Thana -BIBHUTIPUR District- SAMASTIPUR

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1. Ram Bali Yadav @ Ram Bali Rai Son of Shivji Yadav
2. Fulen Yadv@ Fulen Rai@ Fulena Yadav Son of Shivji Yadav
3. Ram Binay Yadav@ Ram Binay Rai Son of Shivji Yadav
4. Sharvan Yadav@ Sharvan Kumar Yadav Son of Shivji Yadav All
Resident of Village- Sakh Mohan, P.S. Bibhutipur, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha

For the Opposite Party/s : Mr. Sri Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 06-10-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

Learned counsel for the petitioners seeks permission to
withdraw this application against petitioner no. 3 and 4 namely
Ram Binay Yadav @ Ram Binay Rai and Sharvan Yadav @
Sharvan Kumar Yadav as they have been arrested and granted
bail by the court below.

In such view of the matter, this application is dismissed
against petitioner nos. 3 and 4 as the same has been rendered
infructuous.

The petitioners seek anticipatory bail in Bibhutipur P.S.
Case No.118 of 2017 instituted for the offences under Sections



147, 148, 447, 341, 323, 307, 325, 354, 380, 504 and 506 of the Indian Penal Code.

Allegation has been made that the petitioners and the informant was going to Barat and they have abused and mishandling the family members of the informant and that created ruckus amongst themselves.

A Panchayti was called but on 02.05.2017 at 04:00 PM all the accused persons including petitioners came with different weapons and assaulted the family members of the informant.

In such view of the matter, this Court is not inclined to enlarge the petitioner on anticipatory bail. Accordingly the prayer for bail is rejected. However, if the petitioner surrenders before the court below within a period of four weeks from today, the court below will pass an order on its own merit without being prejudiced by the order passed by this Court.

(Shivaji Pandey, J)

Vinay/Sunny

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