

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62228 of 2018

Arising Out of PS.Case No. -192 Year- 2018 Thana -PAKARIBARAW District- NAWADA

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1. Chando @ Chandrika Yadav, son of Late Basudeo Yadav.
 2. Krishna Yadav @ Krishna Prasad Yadav, son of Late Basudeo Yadav.
 3. Mahendra Yadav, son of Late Basudeo Yadav.
 4. Ravindra Yadav, son of Late Basudeo Yadav,
 5. Upendra Yadav @ Upo, Son of Bhajju Yadav.(Bhajju Yadav),
 6. Sunil Yadav, son of Rajendra Yadav.
 7. Dinesh Yadav @ Chamru, son of Bhajju Yadav,
 8. Mukesh Yadav @ Mukesh Kumar, S/O Krishna Yadav. All are R/V-Rehri, P.S. Dhamaul, District-Nawada.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Sheo Kumar Prasad, Advocate.
For the Opposite Party : Mr. Dinesh Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-10-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 341, 147, 148, 149,
323,307, 354, 427, 506, 504 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that on 21.07.2018
at about 8.00 A.M. the informant's wife Kunti Devi was pasting
cow-dung on his wall and his niece Neelam Kumari was standing
there. In the meantime, co-accused Nikku Yadav, Chando Yadav
alias Chandrika Yadav and all petitioners having *Lathi-Danda* in



their respective hands came near his wife and started abusing his wife and niece Neelam Kumari and when his wife forbade to do so, Nikku Yadav and Chando @ Chandrika Yadav caught hair-lock of his wife and niece and pushed them down on the earth and all have brutally assaulted them with leg, kick and fist and Nikku Yadav assaulted his wife with iron-rod on her head and Chando Yadav assaulted his niece with *Danda* on her head and on hulla, several villagers assembled there then Nikku Yadav and Chando Yadav fled away by resorting firing with pistol.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case due to previous enmity. No overt act has been alleged against the petitioners. So far petitioner no. 1 is concerned, he is alleged to have assaulted the niece of the informant.

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

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner no. 1 Chando @ Chandrika Yadav in connection with Pakribrawan



(Dhamaul) P.S. Case No. 192 of 2018, pending in the court of learned C.J.M. Nawada.

Anyhow, if the petitioner no. 1 Chando @ Chandrika Yadav surrenders and prays for regular bail in the learned court below, the same shall be considered and disposed of on its own merit without being prejudiced by this order of the Court.

So far petitioner nos. 2 to 8 are concerned, let the petitioner nos. 2 to 8 above named (except petitioner no. 1 Chando @ Chandrika Yadav) in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M. Nawada, in connection with Pakribrawan (Dhamaul) P.S. Case No. 192 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

