

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62065 of 2018

Arising Out of PS. Case No.-23 Year-2018 Thana- SIKTI District- Araria

1. Ajendra Yadav,
2. Sahendra Yadav,
3. Yogendra Yadav
All Sons of Late Baleshwar Yadav, R/o Vill.- Ramnagar, Pothia,
P.S.- Bardha, Sikti, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Yadav, Adv.
For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-10-2018 Heard learned Counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending arrest in a case registered
for the offences punishable under Sections
147,149,307,323,341,354B,379 of the Indian Penal Code.

The prosecution case got initiated on the basis of written
report dated 13.02.2018 submitted by Taranand Mandal to the
Station House Officer, Police Station is to the effect on
12.02.2018 at 4.30 P.M., the informant saw accused Nilanti
Devi stealing the straw. On alarm being raised, all the accused
persons, ten in number, including the petitioners, came and for
objecting taking away straw, assaulted the informant. It is



further alleged that co-accused, Birendra Yadav, Mithu Yadav and Mukesh Yadav pushed down the informant and assaulted on his head with an iron rod. When wife of the informant, Tara Devi came to rescue, then accused persons dragged her and pulled her sari, as a result, she became semi-naked. The accused persons also snatched an ear-rings and a nose pin worth Rs.20,000/- from the wife of the informant.

It is submitted by learned counsel for the petitioners that for a petty dispute, the accusation has been levelled against the petitioners. It is further stated that there is no specific accusation levelled against the petitioners. Accusation against the petitioners is omnibus and general. The informant has subsequently retracted from the initial version and has filed a petition on 11.09.2018 to that effect before the learned Court below, as contained in Annexure-2. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by learned APP for the State that the petitioners are named in the FIR

Considering the specific accusation of assaulted only against three co-accused persons, retracted version of the informant and genesis of the occurrence, coupled with statement



made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, 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 CJM, Araria, in connection with Sikti (Bardaha) P.S. Case No.23 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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