

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72253 of 2018

Arising Out of PS. Case No.-301 Year-2011 Thana- SHEKHPURA District- Sheikhpura

1. Ranjeet Yadav,
2. Chanchan Yadav @ Chandan Yadav,
3. Hareram Yadav @ Hareram Kumar Yadav. All Sons of Shiv Shankar Yadav, Resident of Village- Ajhi, Police Station- Korma, District- Sheikhpura.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Bipin Kumar, Advocate.
For the Opposite Party	:	Mr. Sadanand Paswan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-12-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 341, 323, 324, 379, 504/34 of the IPC and 3(x) of SC/ST Act in which cognizance has been taken under Sections 341, 323, 307 and 504 of the IPC.

The prosecution story, in brief, is that on 13.09.2011 at about 4.00 P.M. Awadhesh Yadav and Rajesh Manjhi were coming on Motorcycle and when they reached near Kamasi More, then co-accused Shiv Shankar Yadav and petitioners Ranjeet Yadav, ChanchanYadav, Hareram Yadav started abusing and giving threatening to kill him. They abused Rajesh Manjhi



with offending words as *Manjhi Sala*. Petitioner no. 1 Ranjeet Yadav pointed country made pistol and co-accused Shiv Shankar Yadav assaulted with *Iron rod* on the head of the informant Awadhesh Yadav with intent to kill him and petitioner no. 3 Hare Ram Yadav assaulted with the handle of *Spade* on his face and petitioner no. 2 Chanchan Yadav and all of them started assaulting him with legs, *Spade* and *Iron rod*. On alarm by Rajesh Manjhi, Rajo Yadav came then they fled away and at the time of fleeing, petitioner no. 1 Ranjeet Yadav took Rupees 5000/- from the pocket of the informant and petitioner no. 2 Chanchan Yadav took golden chain from his neck.

It has been submitted by learned counsel for the petitioners that the petitioner no. 1 has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. After investigation, the police has submitted final form. The petitioners were not sent up for trial. Learned court below differed with the said final form and has taken cognizance. The matter has already been compromised between the parties vide Annexure-4 to the present application.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.



Considering the aforesaid facts and circumstances, let the petitioners above named, 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. Sheikhpura, in connection with Sheikhpura P.S. Case No. 301 of 2011 (G.R. No. 823 of 2011), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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