

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31742 of 2018

Arising Out of PS.Case No. -42 Year- 2017 Thana -RAIYAM District- DARBHANGA

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1. Ramsevak Yadav, S/o Late Bhutkun Yadav,
2. Rabhu Yadav @ Prabhu Yadav, S/o Thakur Yadav @ Thakur Yadav,
3. Pradeep Yadav @ Pradeep Kumar Yadav, S/o Mahendra Yadav,
4. Dev Kumar @ Devrait Yadav, S/o Mahendra Yadav,
5. Sachin Kumar Suman @ Sachin Yadav, S/o Ramsevak Yadav.
6. Panilal Yadav, S/o Thakur Yadav @ Thakur Yadav,
7. Navin Kumar @ Havin Yadav, S/o Ramsevak Yadav,
8. Hukumdeo Yadav, S/o Bhutkun Yadav, All residence of Village-
Rampur, P.S.- Raiyam, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra

For the Opposite Party/s : Mr. Sri Asharaf Ansari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 02-07-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Raiyam P.S.Case no.42 of 2017 , registered for offences punishable under Sections 147, 148, 341, 323, 354(B), 504 and 379 of the Indian Penal Code.

Allegation as per FIR against the petitioner nos. 1 and 2 is that they tied a rope around the neck and tried to pull it due to which the informant felt suffocation, so far petitioner no.3 is concerned there is allegation that he has snatched Rs.560/-, so far petitioner nos. 4, 5, and 7 are concerned, they are named in the



FIR, so far petitioner nos. 2 and 8 are concerned, there is allegation that they tried to outrage the modesty of the informant and so far petitioner no.6 is concerned there is allegation that he snatched golden chain.

Submission of the learned counsel for the petitioners is that there is case and counter case between the parties and injuries are simple in nature.

Heard learned A.P.P. also, he has opposed the prayer for bail stating that the petitioner no.1 has criminal antecedent but he has not mentioned in the petition and against petitioner nos. 1 and 2 there is allegation that they tied a rope around the neck of the informant and pulled it.

Having heard both sides and in view of the facts and circumstances, as stated above, prayer for bail of the petitioner no.1 (Ramsevak Yadav) is dismissed on the ground that he has suppressed the fact of criminal antecedent.

So far petitioner nos. 2 (Rabhu Yaav @ Prabhu Yadav), 3. (Pradeep Yadav @ Pradeep Kumar Yadav), 4. Dev Kumar Devrait Yadav), 5. Sachin Kumar Suman @ Sachin Yadav, 6. (Panilal Yadav), 7. (Navin Kumar @ Havin Yadav) and 8. (Hukumdeo Yadav) are concerned, let the petitioner nos. 2 to 8 surrender before the court below within a period of six weeks from the date



of order and on surrender they will be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Darbhanga in connection with Raiyam P.S.Cae no.42 of 2017 , subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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