

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.46531 of 2018

Arising Out of PS.Case No. -212 Year- 2017 Thana -UDAKISHANGANJ District- MADHEPURA

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1. Kameshwar Yadav, Son of Late Jamun Yadav.
 2. Kailash Yadav, Son of Late Jamun Yadav.
 3. Sunil Yadav, Son of Late Jamun Yadav.
 4. Anil Yadav, Son of Late Chandeshwari Yadav.
 5. Birendra Yadav, Son of Late Tarni Yadav.
 6. Bijendra Yadav @ Dayanand Yadav, Son of Late Tarni Yadav.
 7. Abhinandan Yadav @ Abhay Yadav, Son of Late Lakhan Yadav.
 8. Subhash Yadav @ Suman Yadav, Son of Kailash Yadav.
 9. Chhotu Kumar, Son of Sunil Yadav.
 10. Mithun Kumar Yadav, Son of Abhinandan Yadav.
 11. Hirva Yadav @ Hiro Kumar, Son of Abhinandan Yadav. All resident of Village- Laxmipur, P.S.- Udakishunganj, District- Madhepura.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Arpana Kumari, Advocate.

For the Opposite Party : Smt. Rita Verma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

4 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 147, 323, 341, 447, 427,
504, 379, 307 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that on 06.12.2017
at about 2.00 P.M. the petitioners variously armed came over the
Baasdeeh land of the informant and started throwing the fixing
Tatti, Pegs, Chadra by uprooting. On protest, petitioner no. 1
ordered to kill the informant upon which, petitioner no. 2 pulled



her *Saari*. When her husband came to rescue, petitioner no. 3 opened fire, however, he made a narrow escape. Petitioner no. 4 assaulted her husband with *Khanti* causing head injury. When her Dewar came to rescue, petitioner no. 5 Birendra Yadav assaulted him with *Dabia* causing head injury and snatched cash of Rs. 10,000/- from him. When her father-in-law and Dewar came to rescue, petitioner no. 6 assaulted his father-in-law causing head injury and snatched Rs. 5,000/- from him. Petitioner no. 8 has also assaulted. Petitioner no. 10 took out a cash of Rs. 10,000/- from her husband. Co-accused Suman Kumar took away a golden chain from his neck. Co-accused Sapna Kumari also assaulted them and took away a golden chain from her neck worth Rs. 45,000/-. Co-accused Kajal Kumari also took away a silver *Payal* of the informant. Co-accused Mala Devi also took away a golden earring. Other co-accused persons looted away two bundle *Chadra* worth Rs. 16,000/-. Thereafter, accused persons fled away.

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. It is case and counter case between the parties. None is said to have been injured in course of



occurrence.

On behalf of the State, it is 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 S.D.J.M. Udakishunganj, Madhepura, in connection with Udakishunganj P.S. Case No. 212/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

