

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12708 of 2018

Arising Out of PS.Case No. -429 Year- 2017 Thana -NARPATGANJ District- ARRARIA

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1. Sikandar Yadav, S/o Krityanand Yadav, Resident of Village- Khaira Keshkapur.
 2. Sudhir Yadav @ Sudhir Kr. Suman, S/o Anant Yadav, Resident of Village- Ramghat Koshkapur, Ward No.5.
 3. Rajesh Pandit, S/o Jagdish Pandit, Resident of Village- Ramghat Koshkapur, Ward No. 13.
 4. Manjula Devi, W/o Virendra Rishideo, Resident of Village- Ramghat Koshkapur.
 5. Daud, S/o Muslim, Resident of Village- Ramghat Koshkapur, Ward No. 13.
 6. Most. Manju Devi, D/o Late Laxmi Mandal, Resident of Village- Ramghat Koshkapur Ward No.14.
 7. Shambhu Mandal, S/o Late Laxmi Mandal, Resident of Village- Ramghat Koshkapur, Ward No. 14.
 8. Suman Yadav @ Suman Kumar, S/o Arvind Yadav, Resident of Village- Ramghat Koshkapur, Ward No. 11.
 9. Suresh Yadav, S/o Sadanand Yadav, Resident of Village- Ramghat Koshkapur.
 10. Balram Singh, S/o Domi Singh, Resident of Village- Ramghat Koshkapur, Ward No. 6.
 11. Sunita Devi, W/o Balram Singh, Resident of Village- Ramghat Koshkapur, Ward No. 06.
- All of P.S. Narpatganj, District- Araria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate.

For the Opposite Party/s : Smt. Veena Rani Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 08-03-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Narpatganj**

P.S. Case No. 429 of 2017 instituted for the offence under



Sections 147, 148, 149, 341, 323, 307, 353, 427, 452, 504, 120(B), 333, 506 of the Indian Penal Code and Section 3 of Damage of Public Property Act, 1984 read with 51(A) of Disaster Management Act.

It is alleged in the written report that on the date of occurrence the petitioners and other accused persons instigated by Ashok Kumar Yadav @ Ashok Prince and Sikandar Yadav along with other accused persons, as mentioned in the First Information Report and 2000 persons, tried to break the main gate of the building of Block Office. It is further alleged that when local police reached there, the accused persons attempted to kill the C.O. as well as B.D.O. and three employees of Circle office, who sustained injuries on their vital parts. The employees of the Circle Office any how rescued the C.O. and B.D.O. The accused persons also destroyed Govt. files, registers, furnitures etc. They used criminal force to deter the public servants from discharging their official duty. Both C.O. and B.D.O. saved themselves any how by hiding themselves in a room.

Learned counsel for the petitioners has submitted that there is general and omnibus allegation against all the accused persons. It has further been submitted that petitioner Nos. 4, 6 and 11 are ladies. The injuries found on the person of the injured are



simple in nature.

This Court after looking into gravity of the offence, is not inclined to grant anticipatory bail to the petitioner Nos. 1, 2, 3, 5, 7, 8, 9 and 10.

The prayer for anticipatory bail of the petitioner Nos. 1, 2, 3, 5, 7, 8, 9 and 10 stands rejected. They may surrender before the court below and make prayer for regular bail which will be considered by the court below on its own merit without being prejudiced by this order, if possible, on the same.

So far petitioner Nos. 4, 6 and 11 namely, Manjula Devi, Most. Manju Devi and Sunita Devi are concerned, prayer for anticipatory bail of the petitioner Nos. 4, 6 and 11 is allowed. In the event of surrender/arrest of the petitioner Nos. 4, 6 and 11, named above, within six weeks from today, in connection with **Narpatganj P.S. Case No. 429 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Araria**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be



present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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