

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34079 of 2018

Arising Out of PS. Case No.-18 Year-2018 Thana- PAUTHU District- Aurangabad

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1. Uday Yadav,
 2. Binod Yadav, Both sons of Lakhan Deo Yadav, Resident of Village- Itar, P.S.- Pauthu, District- Aurangabad.
 3. Rakesh Yadav, S/o Satyendra Yadav, resident of Village- Achuki Tola Bharkol P.S.- Pauthu, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Leelawati Kumari
For the Opposite Party/s : Mr. Sri Sakir Ahmad

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 14-06-2018 Learned counsel for the petitioners submits that petitioner no. 2, namely, Binod Yadav, has been arrested by the police, so he seeks permission to withdraw this application with regard to petitioner no. 2.

Permission is accorded.

Accordingly, this application is dismissed as withdrawn with regard to petitioner no. 2.

The petitioner nos. 1 and 3, namely, Uday Yadav and Rakesh Yadeav apprehend their arrest in connection with Pauthu P.S. Case No. 18 of 2018 registered under Sections 341, 323, 308, 379, 504 and 506/34 of the Indian Penal Code.

The accusation is that in the evening of 14.03.2018



informant, Pappu Kumar, was going to Pauthu Market on his cycle. When he reached near Devi Mandir, all petitioners caught hold, started to abuse and caused assault to him. Thereafter, they began to drag him after pressing her neck through Gamcha saying that he informed to the police when petitioners loaded the sand on the tractors. On raising alarm the people assembled there, on which, they started flee away. In the meantime, petitioner no. 1 snatched the gold chain from his neck.

Learned counsel for the petitioner nos. 1 and 3 submits that petitioner no. 1 is the owner of the tractor and his tractor was hired by the informant but fare was not paid and when petitioner no. 1 demanded the due amount to the informant the present case has been lodged with false allegation. Further submission is that petitioner nos. 1 and 3 have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner nos. 1 and 3 be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aruangabad, in connection with Pauthu P.S.



Case No. 18 of 2018, subject to the condition as laid down
under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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