

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51761 of 2018

Arising Out of PS.Case No. -141 Year- 2017 Thana -NAUHATTA District- SAHARSA

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1. Arvind Yadav, S/o Jagdish Yadav,
 2. Digamber Yadav S/o Lakhan Yadav @ Likhan Yadav,
 3. Kishor Yadav S/o Rajendra Yadav, All R/o Vill.- Gadhiya Lohar Tola, P.S.- Nauhatta, (O.P. Darhar), District- Saharsa.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ashok Kumar, Advocate.

For the Opposite Party : Mr. Dr. Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-09-2018 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, 148, 149, 447, 324, 307, 354, 379, 385, 504, 506 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that on 30.07.2017 at 9.30 P.M., all the FIR named accused persons armed with various weapon such as *Farsa*, *Dabiya* etc., came at the *Darwaja* of the informant. Accused Lalo Yadav started firing indiscriminately. On his order, all the accused persons thrashed informant. At that time, accused Arbind Yadav and Kishor Yadav gave *Farsa* blow on his head. When his wife Hira Devi came to



rescue him, Subhash Yadav and Digamber Yadav both assaulted his wife and outraged her modesty. Order of Lalo Yadav accused Digamber Yadav hurled *Farsa* which hit her left finger. It is further alleged that on the order of accused Jagdish Yadav accused persons entered into the house took away silver and gold ornaments worth Rs. 50,000/- and other articles. It is further alleged that accused persons demanded Rs. 15,000/- per month as *Rangdari*.

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 due to land dispute. The nature of injury is said to be simple. Hence, no offence under Section 307 of the IPC is made out.

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 J.M. Saharsa, in connection with Nauhatta P.S. Case No. 141 of 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)

