

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66333 of 2018

Arising Out of PS. Case No.-8 Year-2018 Thana- CHAUSA District- Madhepura

-
1. Ram Varan Yadav @ Ram Baran Yadav, Son of Lukho Yadav,
 2. Vivekha Yadav @ Viverwa Yadav @ Vivekanand Yadav, Son of Ganesh Yadav,
 3. Sonelal Yadav, Son of Late Ganesh Yadav,
 4. Dilkhush Kumar @ Dilkhush Yadav, Son of Sonelal Yadav,
 5. Pradip Yadav, Son of Vijay Yadav,
 6. Laddu Yadav, Son of Horil Yadav,
 7. Chhatish Yadav, Son of Laddu Yadav.
 8. Beni Yadav, Son of Mahendra Yadav, All residents of Village-
Lauaagan, P.S.- Chousa, District- Madhepura.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Brij Mohan Kumar Singh, Advocate.
For the Opposite Party : Mr. Bharat Lal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-12-2018 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 341, 323, 307, 427, 354, 325, 379, 504 and 506/34 of the IPC.

The prosecution story, in brief, is that on 03.01.2018 at about 8.00 A.M. the informant was at his *Baasa*. At the same time, accused persons including the petitioners armed with *Lathi, Danda, Iron-rod* came there and started demolishing his house. On protest, co-accused Sachita Yadav assaulted with *Iron*



rod with intent to kill his son causing injury at his head and fell down on the ground. When his another son Pintu Yadav came to rescue, he was also assaulted with *Lathi* by co-accused Vijay Yadav causing fractured left hand of Pintu Yadav. It is further alleged that the accused persons had assaulted brutally his wife Pama Devi, sons Amar Yadav, Pandav Yadav, Nandu Yadav with fists and slaps, *Lathi-Danda* causing injury all over their body. It is further alleged that in course of *Mar-Pit*, co-accused Pankaj Yadav took out a cash of Rs. 5,000/- from the pocket of the informant and threatened to kill, if the matter transmitted to the police.

It has been submitted by learned counsel for the petitioners that the petitioner nos. 5, 6, 7 and 8 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. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. Injury on the side of accused has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the learned counsel for the State, it has been 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. Uda-Kishunganj, Madhepura, in connection with Chausa P.S. Case No. 8 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

U.K./-

U		T	
---	--	---	--

