

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19773 of 2018

Arising Out of PS.Case No. -265 Year- 2017 Thana -GOGRI District- KHAGARIA

- =====
1. Debo Yadav,
 2. Siko Yadav Sons of Rudo Yadav,
 3. Mithun Yadav S/o Debo Yadav,
 4. Arvind Yadav S/o Siko Yadav, All are R/o Village- Patraun, P.S.- Gogri, District- Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bishweshwar Ram

For the Opposite Party/s : Mr. Sri Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 05-04-2018

Heard learned counsel for the petitioners and

learned APP the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 427, 504, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case as per the written report of Ranju Devi dated 04.06.2017 is to the effect that 12 accused persons came to the disputed plot including the petitioners and made assault to the informant. It is also alleged against Dhirendra Yadav and Lalan Yadav to have resorted to fire,



however, none received injury.

It is submitted by learned counsel for the petitioners that only non-bailable offence under Arms Act is alleged against Dhirendra Yadav and Lalan Yadav, who are not petitioners before this Court. The accusation against the petitioners is only under bailable provisions. There is a counter version of the occurrence and except Dhirendra Yadav and Lalan Yadav others have been granted anticipatory bail vide Cr. Misc. Nos. 59780 of 2017 and 10290 of 2018, as contained in Annexure- 3 and 4. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

However, learned APP submits that the petitioners are also named in the FIR.

Considering the fact that non-bailable offence is alleged only against Dhirendra Yadav and Lalan Yadav, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Gogri P.S. Case No. 265



of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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