

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66126 of 2018

Arising Out of PS. Case No.-66 Year-2017 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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1. Hari Yadav, Son of Ram Prasad Yadav
 2. Lal Babu Yadav, Son of Ram Babu Yadav
 3. Mister Yadav @ Mister Ya, Son of Hari Yadav
 4. Pradeep Yadav, Son of Ram Prasad Yadav
 5. Rohit Yadav, Son of Hari Yadav
 6. Kishun Yadav @ Babajee Yadav @ Babu Jee Prasad, S/o Ram Prasad Yadav
 7. Nunu yadav @ Nanu Yadav, son of Hari Yadav
 8. Raj Kumar Yadav, Son of Late Ram Deo Yadav
- All Resident of Village-Garhaul,P.S. Bisfee,Distt.-Mdhubani

... .. Petitioners

Versus

1. The State of Bihar
2. Rajo Mochi W/o Bhogendra Mohi, R/o Village-Garhaul,P.S. Bisfi,Distt.-Madhubani

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan
For the Opposite Party/s : Mr. Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

2 17-12-2018 Heard learned counsel for the petitioners as well as

learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with

C.R. Case No. 66 of 2017 in which cognizance has been taken

for the offences punishable under Sections 341, 323, 354, 504 of

the Indian Penal Code and Section 3 of Witchcraft Act.

The petitioners have been summoned to face trial for

the offences punishable under Sections 341, 323, 354, 504 of

the Indian Penal Code and Section 3 of Witch Craft Act in a



complaint case. Although, some serious allegations have been levelled against the petitioners but admittedly, the learned court below did not find prima facie case for the offences punishable under the provisions of S.C./S.T. (Prevention of Atrocities) Act. Moreover, it would appear from perusal of the complaint petition itself that land dispute is admitted between the parties.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of this fact that petitioners do not have any criminal antecedent which is evident from perusal of para 3 of the petition, this anticipatory bail petition is allowed and it is ordered that petitioners, in the event of their arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Benipatti, Madhubani in C.R. Case No. 66 of 2017 subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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