

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62839 of 2017

Arising Out of PS.Case No. -70 Year- 2017 Thana -NAUHATTA District- SAHARSA

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1. Chandeshwari Yadav, S/o Late Sajjan Yadav,
2. Nitish Kumar @ Bidiya Nand Yadav, S/o Chandeshwari Yadav,
3. Anil Kumar Yadav @ Anil Yadav, S/o Chandeshwari Yadav, All R/o
Village- Rasalpur, Tola Bela, P.S.- Nauhatta (O.P. Darhar), District-
Saharsa.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Sri Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 12-01-2018 Heard the learned counsel for the petitioners and
the learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Nauhatta PS case no. 70 of 2017 registered for
the offences punishable under Sections 379 and other sections of
Indian Penal Code.

The case of the prosecution is that on 07.04.2017 at
about 4 pm, son of the informant namely Kundan Yadav was
going to graze buffalo and when he reached near maize field, all
accused persons surrounded him and started hurling abuses as well
as took a sum of Rs. 10,000/-. It has been further alleged that on
the order of the accused Anil Yadav, accused Gulsan Kumar



gave *farsa* blow on the head of the son of the informant whereafter the other accused persons are also said to have assaulted the son of the informant. Anil Yadav is also said to have snatched silver chain worth Rs. 15,000/- of the son of the informant.

The learned counsel for the petitioners submits that as far as the petitioners are concerned, there is no allegation of any specific over act against them, hence they should be extended the privilege of anticipatory bail. It is further submitted that the petitioners have clean antecedents.

Having regard to the facts and circumstances of the case, the abovenamed petitioners, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of Addl. Chief Judicial Magistrate-III, Saharsa in connection with Nauhatta PS case no. 70 of 2017 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J.)

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