

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.30714 of 2018

Arising Out of PS.Case No. -18 Year- 2017 Thana -KUSHESHWARSTHAN District-
DARBHANGA

- =====
1. Debu Yadav, S/o Late Bauan Yadav,
 2. Madan Yadav S/o Lalo Yadav,
 3. Heera Yadav @ Herra Kumar @ Hira Kumar S/o Lalo Yadav,
 4. Lalit Yadav S/o Ganga Yadav,
 5. Indal Yadav S/o Deby Yadav,
 6. Azad Kumar @ Azad Yadav S/o Lalo Yadav, All are R/o Vill.- Bahera,
P.S.- Kusheshwar Asthan, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Mr. Sri Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 18-05-2018

Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 332, 333, 307 and 353 of the Indian Penal Code.

The prosecution case as per the self statement of Rakesh Kumar Singh, Station House Officer of Kusheshwar Asthan P.S. dated 03.02.2017 is to the effect that on 02.02.2017 while in patrolling duty, the informant was informed that the accused persons were filling earth in the land of Nyas



Samiti Kushehswhar Asthan Mahadeo Temple and when the informant reached there he saw that scuffle was going on between Ganga Yadav and local villagers, who are members of Paswan community. When the informant tried to control and pacify the situation, the informant and other police personnel received injuries.

It is submitted by learned counsel for the petitioners that the accusation has been levelled in the background of prevailing enmity between the parties. There is no specific accusation against the petitioners and other accused persons and there is a counter version of the occurrence also. The petitioners are accused in one other case in which they are on bail.

Learned APP, however, submits that the petitioners are named in the FIR.

Considering the accusation being omnibus and general against the petitioners and other accused persons, 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 Additional Chief



Judicial Magistrate, Biraul, Darbhanga in connection with Kusheshwar Asthan P.S. Case No. 18 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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