

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52639 of 2018

Arising Out of PS.Case No. -148 Year- 2018 Thana -GAIGHAT District- MUZAFFARPUR

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1. Manoj Yadav, Son of Goraksh Rai,
2. Fuldeo Rai @ Fuldeo Yadav, Son of Bilatu Rai.
3. Riga Yadav, Son of Mahendra Rai,
4. Kaleshwar Rai, Son of Late Chandeshwar Rai, All resident of Village-
Jaganiya, P.S. Gaighat, District- Muzaffarpur.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Anil Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-09-2018 Supplementary affidavit has been filed on behalf of the
petitioners. Let it be kept on record.

Heard learned counsel for the petitioners and learned APP for
the State.

The petitioners are apprehending their arrest in a case
registered under Sections 147, 148, 149, 341, 323, 353, & 307 of
the Indian Penal Code.

The prosecution case, in brief, is that when the police party
reached at the village Jaganiya for execution of warrant of arrest,
these petitioners and others surrounded the police party and started
brick batting.

It has been submitted on behalf of the petitioners that the



petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. A complaint case vide Annexure-2 to the supplementary affidavit had been filed against the informant and other police officers for offence under Section-354 & other sections of the Indian Penal Code for misbehaving with the female members in the village and in retaliation to the same, the present case has been instituted against the petitioners and others. There is no injury report in support of allegations made for the offence u/S 307 of the Indian Penal Code. The petitioners have been made accused in this case due to mistake of fact.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/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 learned Sub Judge-XVI-cum-Additional Chief Judicial Magistrate, Muzaffarpur in connection with Gaighat P.S. Case No. 148 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal



Procedure.

(Sudhir Singh, J)

A.K.V./-

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