

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45546 of 2018

Arising Out of PS.Case No. -100 Year- 2014 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

- =====
1. SANJAY KUMAR @ SANJAY YADAV, son of late Bino Yadav, resident of village - Keshaway, P.S. Barauni, District – Begusarai,
 2. Mantun Yadav, son of Sahdeo Yadav, resident of Village - Sushil Nagar, P.S. - Muffasil, District – Begusarai,
 3. Adhik Lal Yadav @ Deepak Kumar, son of Sahdeo Yadav, resident of village - Sushil Nagar, P.S. - Muffasil, District – Begusarai,
 4. Chamak Yadav @ Chamak Lal Yadav, son of Sahdeo Yadav, resident of village - Sushil Nagar, P.S. - Muffasil, District – Begusarai,
 5. Matlu Yadav @ Manoj Yadav, son of Dhobi Yadav, resident of village - Sushil Nagar, P.S. - Muffasil, District – Begusarai,
 6. Sahdeo Yadav, son of Munshi Yadav, resident of Village - Sushil Nagar, P.S. - Muffasil, District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sri Shyam Kumar Singh, APP

For the Informant : Mr. Praveen Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5/ 30-08-2018

Heard learned counsel for the petitioners and learned

APP for the State as well as counsel for the informant.

Petitioners apprehend arrest in **Muffasil (Singhaul)**

P.S. Case No.100 of 2014 instituted for the offence under
Section(s) 147, 148, 149, 447, 341, 323, 337, 338, 307, 504, 506
Indian Penal Code pending in the Court of the **Chief Judicial**
Magistrate, Begusarai.

It has been submitted by the counsel for the
informant that process under Section 82-83 Cr. P.C. has already



been issued against the petitioners.

Counsel for the informant in support of his submission has filed Xerox copy of the order-sheet from which it appears that after issuance of process under Section 82 Cr. P. C., process under Section 83 Cr.P.C. has also been issued against the petitioner by order dated 30.07.2018.

A report was called for from the Court below, which has been received, from which it appears that process under Section 82-83 Cr. P.C. have been issued against the petitioners.

Counsel for the petitioners submits that earlier they had filed quashing application vide Cr. Misc. No.38591 of 2015 before this Hon'ble Court for quashing the First Information Report of the instant case, which has been disposed off by order dated 27.04.2018 and just after disposal of the aforesaid quashing application process under Section 82-83 Cr. P.C. have been issued against the petitioners by the Court below. It is further submitted that police has acted under the influence of local MLA. Police is forcing the petitioners to execute sale deed with respect to the land.

Since process under Section 82-83 Cr. P.C. has already been issued, this Court does not find it a fit case for grant of anticipatory bail.



Prayer of the petitioners for grant of anticipatory bail is **rejected**.

Petitioners are directed to surrender before the Court below and make prayer for regular bail and the Court below will consider the case of petitioners on its own merit without being prejudiced by this order and pass appropriate order in accordance with law preferably on the same day.

(Sanjay Priya, J)

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