

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.64353 of 2018

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1. Shital Yadav, S/O Late Bashudev Yadav.
 2. Bulo Yadav, S/O Late Bashudev Yadav.
 3. Suboadh Yadav, S/O Late Bashudev Yadav.
 4. Rupesh Yadav, S/O Shital Yadav.
 5. Ranjeet Yadav, S/O Vidyanand Yadav. All are R/V- Sukhasan, Ward No. 08, P.S. + District-Madhepura.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Sanjay Kumar Singh, Advocate.

For the Opposite Party : Mrs. Reena Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-10-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 448, 341, 323, 324, 307,
379 and 354/34 of the IPC.

The prosecution story, in brief, is that after
measurement of *Deeh-land* of the informant the *Panches* had fixed
Pillar such demarcation. On 16.06.2018 at about 9.30 A.M. while
the informant started constructing work in her own land, the
petitioners by forming unlawful assembly armed with *Lathi-*
Danda, Khanti, Iron-rod came and started abusing and when the
father-in-law of informant, namely, Dukhan Yadav objected not to



abuse, upon which the accused persons assaulted brutally to her father-in-law, Dukhan Yadav and her husband with *Lathi-Danda*, *Khanti*, *Iron-rod* causing injury at their head, in course of *Mar-pit*, the accused persons took golden-Chakti worth Rs. 12,000/- from the neck of her husband. It is further alleged that the male accused persons caught hold of her and threw on the ground and assaulted her with *Lathi* and *Kicks* and she became naked.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. It is case and counter case between the parties. Both parties are agnates. Injury on the side of accused has not been explained by the prosecution. The prosecution has not come with clean hands.

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

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or 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 the learned C.J.M. Madhepura, in connection with Madhepura P. S. Case No. 437 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

