

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18676 of 2019

Arising Out of PS. Case No.-328 Year-2018 Thana- GAYA MUFASIL District- Gaya

1. Lakhan Yadav, Son of Late Bira Yadav Resident of Village - Nauranga, P.S.- Muffasil, Distt - Gaya.
2. Sanoj Kumar @ Manoj Kumar @ Kakku Yadav Son of Suresh Yadav Resident of Village - Nauranga, P.S.- Muffasil, Distt - Gaya.
3. Pankaj Yadav Son of Lalan Yadav @ Lala Yadav Resident of Village - Nauranga, P.S.- Muffasil, Distt - Gaya.
4. Ajay Yadav Son of Lakhan Yadav Resident of Village - Nauranga, P.S.- Muffasil, Distt - Gaya.
5. Kundan Yadav Son of Late Brij Nandan Yadav Resident of Village - Nauranga, P.S.- Muffasil, Distt - Gaya.
6. Chintu Yadav @ Pintu Yadav Son of Late Sadhu Yadav Resident of Village - Nauranga, P.S.- Muffasil, Distt - Gaya.
7. Ram Pravesh Yadav Son of Lakhan Yadav Resident of Village - Nauranga, P.S.- Muffasil, Distt - Gaya.
8. Birju Yadav Son of Baleshwar Yadav Resident of Village - Nauranga, P.S.- Muffasil, Distt - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad
For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 21-06-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Muffasil P.S. Case no. 328 of 2018, registered under Sections 341, 323, 380, 354(B) and 307/34 of the Indian Penal Code.



The accusation is that 11 persons named in the F.I.R., including the petitioners, reached at the house of informant variously armed with weapons and started to abuse. At that time, petitioner No.1 Lakhan Yadav and Mahendra Yadav opened firing and entered in the house. Thereafter, Mahendra Yadav attempted to outrage the modesty of the informant and torn her clothes. When husband of the informant rushed to save her then he was also assaulted. At that time, Mahendra Yadav fired, which hit to Rajesh Kumar, son of the informant. Thereafter, all the accused persons broke the lock of the Almirah and took valuables worth of Rs. Two lakhs and cash of Rs. 50,000/-.

Learned counsel appearing on behalf of the petitioners submits that only one injury was found at the hand of Rajesh Kumar, son of the informant, which is said to be caused by hard and blunt substance. Further submission is that while allegation of causing injury to the son of informant is against Mahendra Yadav. Further submission is that, in fact, due to village dirty politics, the petitioners and other have falsely been implicated in this case.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the



event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate, Gaya in connection with Muffasil P.S. Case No. 328 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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