

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28446 of 2019

Arising Out of PS. Case No.-92 Year-2019 Thana- BELHAR District- Banka

-
1. Mira Devi, Aged about 45 years, Female, Wife of Dashrath Yadav, Resident of Lalu Nagar, P.S. Belhar, District Banka.
 2. Dashrath Yadav, Aged about 50 years, Male, Son of Late Bhoto Prasad Yadav, Resident of Lalu Nagar, P.S. Belhar, District Banka.
 3. Manoj Kumar, Aged about 25 years, Male, Son of Dashrath Yadav, Resident of Lalu Nagar, P.S. Belhar, District Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 30-04-2019 Heard both sides.

Petitioners apprehend their arrest in Belhar P.S. Case No.92 of 2019, registered under Sections 341, 323, 353, 427 and 34 of the Indian Penal Code.

The informant, Dy.S.P. of Tarapur Sub-Division, disclosed that on 31.03.2019, he got information that huge quantity of arms, ammunition and cash were being transported in the area of Sangrampur, District Munger. The informant along with the S.H.O. of Tarapur reached the place of occurrence and saw a vehicle going towards the godown of Dashrath Yadav. When the informant requested the persons



assembled there to allow them to check the godown, Dashrath Yadav, Manoj Yadav, the petitioners, alongwith their family members started raising hue and cry and more than 50 persons assembled there and they started pelting stones in which the informant and his bodyguard received injuries. After sometime reinforcement of force was made and thereafter search was made but nothing was found.

Learned counsel for the petitioners submits that no specific allegation is made against the petitioners but it appears that the owners of the godown are Dashrath Yadav and Manoj Yadav, father and son, and they including their family members started raising hue and cry on which many persons assembled and started pelting stones and obstructed search and seizure of the godown.

Taking into consideration the facts and the allegations made against petitioners no.2 and 3, I am not inclined to enlarge petitioners no.2 and 3 on anticipatory bail. Accordingly, the prayer for anticipatory bail of petitioners no.2 and 3 is rejected.

So far as the case of petitioner no.1, Mira Devi is concerned, she is a lady and considering this fact, let petitioner no.1, namely, Mira Devi, in the event of her arrest or surrender before the court below within a period of four weeks from the



date of receipt of this order, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Banka in connection with Belhar P.S. Case No.92 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

S.KUMAR/-

U		T	
---	--	---	--

