

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33570 of 2019

Arising Out of PS. Case No.-644 Year-2018 Thana- SAUR BAZAR District- Saharsa

1. Amit Kumar Yadav, Son of Chit Narayan Yadav Resident of Village- Surmaha Kishanpur, Rahi Tola, P.S.- Saur Bazar, District- Saharsa.
2. Balram Kumar Yadav Son o Raben Yadav Resident of Village- Surmaha Kishanpur, Rahi Tola, P.S.- Saur Bazar, District- Saharsa.
3. Barun Yadav Son of Jai Narayan Yadav Resident of Village- Surmaha Kishanpur, Rahi Tola, P.S.- Saur Bazar, District- Saharsa.
4. Shibo Yadav Son of Late Anandi Yadav Resident of Village- Surmaha Kishanpur, Rahi Tola, P.S.- Saur Bazar, District- Saharsa.
5. Dipak Kumar Yadav Son of Raben Yadav Resident of Village- Surmaha Kishanpur, Rahi Tola, P.S.- Saur Bazar, District- Saharsa.
6. Buchcho Yadav Son of Kapildeo Yadav Resident of Village- Surmaha Kishanpur, Rahi Tola, P.S.- Saur Bazar, District- Saharsa.
7. Babloo Yadav Son of Kapildeo Yadav Resident of Village- Surmaha Kishanpur, Rahi Tola, P.S.- Saur Bazar, District- Saharsa.
8. Dhano Yadav Son of Shibo Yadav Resident of Village- Surmaha Kishanpur, Rahi Tola, P.S.- Saur Bazar, District- Saharsa.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra
For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 22-05-2019 Learned counsel appearing on behalf of the petitioners seeks permission to withdraw the application filed on behalf of the petitioner No.6, namely, Buchcho Yadav, as he has already been apprehended by the Police.

In view of the above submission, the application filed on behalf of the petitioner No.6, namely, Buchcho Yadav is



dismissed as withdrawn.

Heard learned counsel for the petitioner Nos. 1 to 5 and 7 & 8 and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Sour Bazar P.S. Case no. 644 of 2018, registered under Sections 341, 323, 307, 379, 354, 504 and 506/34 of the Indian Penal Code.

The accusation is that ten persons named in the F.I.R. including the petitioners armed with Lathi, Three nut and Farsa came at the door of informant Lalita Devi. At that time, on the order of Amit Kumar Yadav (Petitioner No.1), Dhano Yadav (petitioner No.8) and Pano Yadav surrounded the informant and started to cause assault through lathi and stick and torn her clothes. Thereafter, Barun Yadav (petitioner No.3) fired four times through his three nut at the brother-in-law of the informant, but, anyhow, he saved himself. At that time, Bablu Yadav (petitioner No.7), Kucho Yadav and Khene Yadav took away box containing cash, clothes and utensils worth of Rs. 25000/- and Rs. 5000/-, respectively. At that time, Dipak Yadav (petitioner No.5) made attempt to took away her daughter.

Learned counsel for the petitioners submits that



petitioners and informant are co-villagers and due to petty dispute, the informant lodged the present case. Moreover, the injuries as found on the person of the informant are simple in nature caused by hard and blunt substance.

Having regard to the facts and circumstances of the case, let the above named petitioner Nos. 1, 2, 3, 4, 5, 7 and 8, 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) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saharsa in connection with Sour Bazar P.S. Case No. 644 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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