

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39428 of 2019

Arising Out of PS. Case No.-312 Year-2017 Thana- RANIGANJ District- Araria

1. Leela Devi, Aged about 30 years, Female, Wife of Sunil Yadav, Resident of Village- Hasanpur, Ward No. 03, Police Station- Raniganj, District- Araria.
2. Sunil Yadav, Aged about 35 years, Male, Son of Late Ramji Yadav, Resident of Village Hasanpur, Ward No. 03, Police Station Raniganj, District Araria.
3. Ravindra Kumar Yadav @ Ravin Kumar, Aged about 18 years, Male, Son of Sunil Yadav, Resident of Village Hasanpur, Ward No. 03, Police Station Raniganj, District Araria.
4. Sanjay Yadav, Aged about 35 years, Male, Son of Late Nandi Lal Yadav, Resident of Village Bistoriya, Police Station Raniganj, District Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 27-06-2019 Heard both sides.

Petitioners apprehend their arrest in Raniganj P.S.

Case No.312 of 2017, registered under Sections 341, 323, 379,
354(B), 504 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the
police after investigation found the case true only against Leela
Devi, petitioner no.1 and Sanjay Yadav, petitioner no.4. The
Investigating Officer did not find the accusation true against
petitioner no.2, Sunil Yadav and petitioner no.3, Ravindra
Kumar Yadav @ Ravin Kumar and submitted final form against



them but the learned court below took cognizance against all the four petitioners. It is further submitted that petitioner nos.1 and 4 are on bail by the police.

It appears from Annexure-1 at page 14, which is final form/report that Leela Devi, petitioner no.1 and Sanjay Yadav, petitioner no.4 were arrested on 20.01.2018 and they were released on bail by the police on 20.01.2018.

In this view of the fact, the anticipatory bail petition of petitioner no.1, Leela Devi and petitioner no.4, Sanjay Yadav is not maintainable. Accordingly, the same is dismissed.

So far as the case of Sunil Yadav, petitioner no.2 and Ravindra Kumar Yadav @ Ravin Kumar, petitioner no.3 is concerned, there appears no specific allegation against these two petitioners and the police after investigation also found the accusation against these two petitioners false and accordingly, submitted final form but the learned Judicial Magistrate after differing with the finding of the Investigating Officer took cognizance under Section 354 and other sections of the Indian Penal Code against these two petitioners also.

Taking into consideration the facts aforesaid, petitioner no.2, Sunil Yadav and petitioner no.3, Ravindra Kumar Yadav @ Ravin Kumar are directed to be enlarged on



bail in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of this order on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Araria in connection with Raniganj P.S. Case No.312 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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