

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45065 of 2019

Arising Out of PS. Case No.-11 Year-2018 Thana- SIGAUDI District- Patna

1. RINKU YADAV, aged about 19 years, Male, Son of late Ojha Yadav, Resident of Village - Gowari, P.S.- Sigori, District- Patna
2. Sahja Yadav @ Sahjanand Yadav, aged about 23 years, Male, Son of Late Ojha Yadav, Resident of Village - Gowari, P.S.- Sigori, District- Patna
3. Vinod Yadav, aged about 21 years, Male, Son of Late Ojha Yadav, Resident of Village - Gowari, P.S.- Sigori, District- Patna
4. Sonmatiya Devi, aged about 45 years, Female, Wife of Late Ojha Yadav, Resident of Village - Gowari, P.S.- Sigori, District- Patna

... Petitioners

Versus

THE STATE OF BIHAR

... Opposite Party

Appearance :

For the Petitioners : Mr. Kumar Manglam, Adv.

For the Opposite Party : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

5 16-11-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Sigori P.S. Case No. 11 of 2018 registered under Sections 147, 148, 149, 341, 323, 379, 307, 302 and 504 of the Indian Penal Code.

The accusation is that in the evening of 11.03.2018, the PCC road was being constructed in the village near the house of the informant, Ramanuj Yadav, at that time, 25 persons, named in the first information report, including the petitioners, came there and asked the contractor to construct the PCC road



covering the land near the wall of the house of the informant on which the informant made protest. At that time, all entered in his house and started to committing loot. In that course Chandan Kumar and Priyanka Kumari took the cash of Rs.50,000/- and ornaments from the box. When, the informant made protest, then, Sunil Yadav started firing in which Sudheshwar Yadav sustained fire arm injury, thereafter, the informant and others started to flee away, but, Sunil Yadav caught hold to Rambhavan Yadav, brother of the informant and, then, his wife, Anita Devi, caused repeated injury through dabia and Rambhavan Yadav fell down. At that time Ram Narain Yadav was assaulted by Nathu Yadav and Collector Yadav through farsa. Chapitar Yadav was also assaulted by Surya Narain Yadav and Sunaina Devi. Urmila Devi, at that time, was assaulted by Shanti Devi through lathi. While Rambhavan Yadav was rushed to Patna Medical College and Hospital for treatment, but, he died.

The learned counsel for the petitioners submits that while the petitioners are named in the first information report, along with 21 others, but, no specific overt act has been attributed against them as specific allegation is against Sunil Yadav to cause fire arm injury to deceased, Sudheshwar Yadav,



and Anita Devi to cause injury through dabia to Rambhawan Yadav.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Sigori P.S. Case No. 11 of 2018 shall be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, V, Danapur, Patna, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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