

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.52873 of 2019**

Arising Out of PS. Case No.-58 Year-2017 Thana- SRINAGAR District- West Champaran

1. CHHOTELAL YADAV @ CHHOTA YADAV, aged about 62 years, Male, Son of Late Shivrindad Yadav @ Shivrindan Yadav, Resident of Village - Singahi Mashan Dhab, P.S.- Srinagar, Pujaha, Dist.- West Champaran
2. Ramlakhan Yadav, aged about 25 years, Male, Son of Late Prahlad Yadav, Resident of Village - Singahi Mashan Dhab, P.S.- Srinagar, Pujaha, Dist.- West Champaran
3. Shobha Yadav, aged about 35 years, Male, Son of late Prahlad Yadav, Resident of Village - Singahi Mashan Dhab, P.S.- Srinagar, Pujaha, Dist.- West Champaran.
4. Malakh Yadav, aged about 60 years, Male, Son of Late Bagar Yadav, Resident of Village - Singahi Mashan Dhab, P.S.- Srinagar, Pujaha, Dist.- West Champaran
5. Munna Gaddi, aged about 40 years, Male, Son of Sri Jawahir Gaddi, Resident of Village - Singahi Mashan Dhab, P.S.- Srinagar, Pujaha, Dist.- West Champaran  
... Petitioners

Versus

The State of Bihar

... Opposite Party

**Appearance :**

For the Petitioners : Mr. Umesh Chandra Verma, Adv.  
For the Opposite Party : Mr. Md. Nazir Ansari, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA**

ORAL ORDER

2      23-08-2019                      Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Srinagar Pujaha P.S. Case No. 58 of 2017 for the offences alleged under Sections 147, 148, 149, 341, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code.

The accusation is that in the evening of 23.04.2017, informant, Jai Prakash Prasad, was at his field for collecting the



wheat crop, at that time 12 persons, including the petitioners, named in the first information report, variously armed with weapons, came there and asked the informant to move from there. When the informant made protest, then, Islam Gaddi fired from country made pistol, but, the same was not hit to the informant, then, in the meantime, Chhote Yadav gave farsa blow, which hit at his left hand and the informant fell down. On hearing the sound of firing, Vinod Kushwaha, Ashok Kushwaha and Devendra Kushwaha rushed to save the informant, they were also caused injury through farsa and dabia on the head by Ila Gaddi, Javed Gaddi, Pravin Gaddi, Bunni Gaddi @ Abdul Gaffar and Rana Gaddik. Islam Gaddi snatched Rs.2,000/- and Samsung mobile from the pocket of the informant.

The submission of the learned counsel for the petitioners is that while the petitioners were named in the first information report, but, no specific allegation has been attributed against the petitioner. Petitioners have no criminal antecedent.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

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 Srinagar Pujaha P.S. Case No. 58 of 2017 shall be released on pre-arrest 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 Chief Judicial Magistrate, West Champaran at Bettiah, 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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