

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82641 of 2019

Arising Out of PS. Case No.-74 Year-2019 Thana- SIMRA District- West Champaran

1. KANHAI YADAV Son of Ramdhani Yadav Resident of Village - Mahua, P.S.- Semra, Distt - West Champaran.
2. Anita Devi Wife of Kanhai Yadav Resident of Village - Mahua, P.S.- Semra, Distt - West Champaran.
3. Rajesh Yadav Son of Manezar Yadav Resident of Village - Rajawatiya, P.S.- Bagha, Distt - West Champaran.
4. Rajharan Yadav Son of Manezar Yadav Resident of Village - Rajawatiya, P.S.- Bagha, Distt - West Champaran.
5. Suresh Yadav Son of Saudagar Yadav Resident of Village - Rajawatiya, P.S.- Bagha, Distt - West Champaran.
6. Balister Yadav Son of Saudagar Yadav Resident of Village - Rajawatiya, P.S.- Bagha, Distt - West Champaran.
7. Pappu Yadav Son of Balister Yadav Resident of Village - Rajawatiya, P.S.- Bagha, Distt - West Champaran.
8. Brijlal Yadav @ Brijlal Son of Suresh Yadav Resident of Village - Rajawatiya, P.S.- Bagha, Distt - West Champaran.
9. Laxman Yadav @ Laxman Son of Suresh Yadav Natural Guradian of his father Petitioner no. 5, Resident of Village - Rajawatiya, P.S.- Bagha, Distt - West Champaran.
10. Bhuwar Yadav @ Ashok Yadav Son of Kapildeo Yadav Resident of Village - Rajawatiya, P.S.- Bagha, Distt - West Champaran.
11. Dulari Devi Wife of Manezar Yadav Resident of Village - Rajawatiya, P.S.- Bagha, Distt - West Champaran.
12. Manti Devi Wife of Suresh Yadav Resident of Village - Rajawatiya, P.S.- Bagha, Distt - West Champaran.
13. Rajendra Yadav Son of Saudagar Yadav Resident of Village - Maryadpur, P.S.- Semra, Distt - West Champaran. Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr.Suresh Prasad Sharma, Advocate

For the Opposite Party : Mr.Anant Kumar 1, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioners as well as learned counsel for the State.

Petitioners apprehend their arrest in a case registered for the offences punishable under Sections 379/506 and other allied sections of the Indian Penal Code.



It is alleged that when the informant was sitting at the door for panchayati, all of a sudden accused persons arrived there, they assaulted him with danda, lathi and committed theft in his house.

Learned counsel for the petitioners submits that they have falsely been implicated in the case and the allegations are ornamental. to defuse the chances of panchayati. Petitioners have no criminal antecedent. Nothing incriminating has come against them to connect them with the offence.

Considering the facts of the case, let the petitioners, above named, in the event of arrest/surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail 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 Judicial Magistrate 1st class, Bagha, West Champaran in Semra Police Station Case No. 74 of 2019, on the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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