

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83010 of 2019

Arising Out of PS. Case No.-197 Year-2018 Thana- RANIGANJ District- Araria

1. Harinandan Yadav S/o Laxmi Yadav Resident of Village- Koskapur Dakhin Sahi Nagar, P.S.- Raniganj, District- Araria (Bihar).
2. Umesh Kumar Yadav S/o Laxmi Yadav Resident of Village- Koskapur Dakhin Sahi Nagar, P.S.- Raniganj, District- Araria (Bihar).
3. Shambhu Yadav S/o Laxmi Yadav Resident of Village- Koskapur Dakhin Sahi Nagar, P.S.- Raniganj, District- Araria (Bihar).
4. Satish Kumar @ Satish Kumar Yadav S/o Laxmi Yadav Resident of Village- Koskapur Dakhin Sahi Nagar, P.S.- Raniganj, District- Araria (Bihar).
5. Anmol Yadav S/o Late Chhedi Yadav Resident of Village- Koskapur Dakhin Sahi Nagar, P.S.- Raniganj, District- Araria (Bihar).
6. Mannu Yadav S/o Late Chhedi Yadav Resident of Village- Koskapur Dakhin Sahi Nagar, P.S.- Raniganj, District- Araria (Bihar).
7. Barun Yadav S/o Late Ramcharitar Yadav Resident of Village- Koskapur Dakhin Sahi Nagar, P.S.- Raniganj, District- Araria (Bihar).
8. Jhatkan @ Sunil Yadav @ Bhatkan S/o Kamleshwari Yadav Resident of Village- Koskapur Dakhin Sahi Nagar, P.S.- Raniganj, District- Araria (Bihar).
9. Fatkan @ Anil Yadav S/o Kamleshwari Yadav Resident of Village- Koskapur Dakhin Sahi Nagar, P.S.- Raniganj, District- Araria (Bihar).
10. Aditya Kumar @ Aditya Kumar Yadav S/o Jhtkan @ Sunil Yadav @ Bhatkan Resident of Village- Koskapur Dakhin Sahi Nagar, P.S.- Raniganj, District- Araria (Bihar).
11. Mintu Kumar @ Mintu Yadav S/o Jhatkan @ Sunil Yadav @ Bhatkan Resident of Village- Koskapur Dakhin Sahi Nagar, P.S.- Raniganj, District- Araria (Bihar).

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anirudh Mishra
For the Opposite Party/s : Mr. Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 16-12-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.



The petitioners apprehend their arrest in a case registered for the offences punishable under Section 147, 148, 341, 323, 307, 379 & 504/34 of the Indian Penal Code.

11 named accused persons and 25-30 unknown miscreants, peeved up with the Title Suit No.197 of 2010 pending between the parties, armed with weapon descended at the door of informant on the tractor and started ploughing his field. When his sons rushed there responding hulla made by the informant Umesh Kumar Yadav and Shambhu Yadav caught hold his sons, namely, Raman Kumar and dragged her on the ground wrapping rope on his neck. However, he was saved by his rest two sons. They also assaulted the informant and his sons by means of slap and fist and petitioner Hari Nandan Yadav took away Rs.1,05,000.00 from the mini bank C.S.P. located at the door of the informant.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. As a matter of fact, petitioner Satish Kumar has lodged Raniganj P.S. Case No.196 of 2018 against the informant and others preceding to the case under hand and in order to save skin from the said case informant has lodged this false and frivolous case against them. The allegation levelled against the



petitioners is not specific rather general and omnibus in nature. Victim has sustained simple injury in the occurrence. There is admitted property dispute between the parties. No case has been lodged by any authority of the Bank for alleged committing heist of Rs.1,05,000.00 from the aforesaid bank. Barring one case lodged by the wife of informant against some of the petitioners in which they are on bail, petitioners have no criminal antecedent.

Learned APP for the State opposed the bail petition.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, 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 Chief Judicial Magistrate, Araria in connection with Raniganj P.S. Case No. 197 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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