

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.78205 of 2019

Arising Out of PS. Case No.-556 Year-2019 Thana- SAHARSA District- Saharsa

1. FULCHAND YADAV @ NARENDRA YADAV, aged about 25 years, Male, Son of Late Agam Yadav, Resident of Village - Sisae, P.S. and District- Saharsa
2. Anil Yadav, aged about 30 years, Male, Son of Late Agam Yadav, Resident of Village - Sisae, P.S. and District- Saharsa
3. Pravin Yadav, aged about 22 years, Male, Son of Sadanand Yadav @ Sadanand Prasad Yadav, Resident of Village - Sisae, P.S. and District- Saharsa
4. Sanjay Yadav, aged about 35 years, Male, Son of Sadanand Yadav @ Sadanand Prasad Yadav, Resident of Village - Sisae, P.S. and District- Saharsa
5. Sadanand Yadav @ Sadanand Prasad Yadav, aged about 65 years, Male, Son of Late Adhik Yadav, Resident of Village - Sisae, P.S. and District- Saharsa
... Petitioners

Versus

THE STATE OF BIHAR

... Opposite Party

Appearance :

For the Petitioners : Mr. Md. Harun Quareshi, Adv.
For the Opposite Party : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 09-12-2019

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Saharsa P.S. Case No. 556 of 2019, registered under Sections 341, 323, 324, 308, 379, 504, 447 and 34 of the Indian Penal Code.

The accusation is that while the informant was sleeping at her door, at that time, petitioner no. 1 (Fulchand Yadav) reached near her and started to press her breast. When informant made protest, then, he caused injury through butt of pistol at her belly. On raising alarm, her son, Nithish Kumar, came, thereafter, Anil Yadav, Pravin Yadav, Sanjay Yadav and Sadanand Yadav (petitioners 2 to 5) came having iron rod and lathi and caused injury twice at the head of her



son, Nithish Kumar. Fulchand Yadav also caused injury to her at that time they took away the case and ornaments from box.

Submission is that in fact hot talk exchanged and marpeet took place in which petitioners' side also sustained injury regarding which Saharsa P.S. Case No. 549 of 2019 was instituted against informant and others on the basis of fardbeyan of Anil Yadav (petitioner no. 2). The petitioner has no criminal antecedent.

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 Saharsa P.S. Case No. 556 of 2019 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 Chief Judicial Magistrate, Saharsa, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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