

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4324 of 2020

Arising Out of PS. Case No.-365 Year-2019 Thana- BARHARA District- Bhojpur

1. Rakesh Yadav Son of Lachhman Yadav Resident of Village-Padminiya, P.S-Barahara (Krishnagarh), District-Bhojpur.
2. Sati Ram Yadav Son of Lachhman Yadav Resident of Village-Padminiya, P.S-Barahara (Krishnagarh), District-Bhojpur.
3. Mukesh Yadav Son of Lachhman Yadav Resident of Village-Padminiya, P.S-Barahara (Krishnagarh), District-Bhojpur.
4. Nitish Yadav Son of Gauri Shankar Yadav Resident of Village-Padminiya, P.S-Barahara (Krishnagarh), District-Bhojpur.
5. Bijendra Yadav Son of Ramadhar Yadav Resident of Village-Padminiya, P.S-Barahara (Krishnagarh), District-Bhojpur.
6. Raju Yadav Son of Bhuteli Yadav Resident of Village-Padminiya, P.S-Barahara (Krishnagarh), District-Bhojpur.
7. Laltu Yadav Son of Bishwanath Yadav Resident of Village-Padminiya, P.S-Barahara (Krishnagarh), District-Bhojpur.
8. Satendra Yadav Son of Sukan Yadav Resident of Village-Padminiya, P.S-Barahara (Krishnagarh), District-Bhojpur.
9. Veer Bahadur Yadav Son of Shiv Nath Yadav Resident of Village-Padminiya, P.S-Barahara (Krishnagarh), District-Bhojpur.
10. Vijay Yadav Son of Ram Sarekh Yadav Resident of Village-Padminiya, P.S-Barahara (Krishnagarh), District-Bhojpur.
11. Ram Ashan Yadav Son of Bhikham Yadav Resident of Village-Padminiya, P.S-Barahara (Krishnagarh), District-Bhojpur.
12. Ram Kumar Yadav Son of Laxuman Yadav Resident of Village-Padminiya, P.S-Barahara (Krishnagarh), District-Bhojpur.
13. Rambabu Yadav Son of Sawaru Yadav Resident of Village-Padminiya, P.S-Barahara (Krishnagarh), District-Bhojpur.
14. Sriram Yadav Son of Ramdeo Yadav Resident of Village-Padminiya, P.S-Barahara (Krishnagarh), District-Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarveshwar Tiwary
For the Opposite Party/s : Mr. Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER



2. 03-03-2020 Heard learned counsel for the parties.

The petitioners apprehend their arrest in Barahara (Krishnagarh) P.S. Case No. 365 of 2019 registered for the offence under Sections 147, 149, 341, 323, 504, 379, 354A of the Indian Penal Code.

In the F.I.R., it is alleged that some dispute arose between the children of the village, as a result, a scuffle took place between the parties. It is further alleged that petitioners alongwith other co-accused, by using filthy language, started assaulting the informant side by *lathi* and *danda*, as a result of which, they sustained injury. It is also alleged that in the meanwhile, someone from the petitioners' side took away a bag also containing Rupees twenty thousand cash and a golden chain.

It is submitted on behalf of petitioners that there is case and counter case. Prior to lodging of present case on 16-10-2019, one of the petitioner namely Vijay Yadav had already lodged a case against informant side, vide Barahara (Krishnagarh) P.S. Case No. 363 of 2019 on 15-10-2019, and only with a view to save their skin and put pressure on petitioners' side, the present case has been lodged. It is further submitted that two similarly situated co-accused Hare Ram



Yadav and Sachin Kumar @ Sachin Yadav have already been granted anticipatory bail by this Court, vide order dated 19-12-2019 passed in Cr.Misc. No. 84581 of 2019.

Considering the aforesaid facts and circumstances as well as nature of accusation, in the event of their arrest/surrender within a period of six weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur, Ara in connection with Barahara (Krishnagarh) P.S. Case No. 365 of 2019, subject to condition, as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J.)

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