

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12747 of 2020

Arising Out of PS. Case No.-134 Year-2018 Thana- WAJIRGANJ District- Gaya

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1. Santosh Yadav, Son of Naresh Yadav, Resident of Vill - Ushari, P.s.- Wazirganj, Dist.- Gaya.
 2. Ramdahin Yadav, Son of Ram Balak Yadav, Resident of Village - Dharampur, P.S.- Wazirganj, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar, Advocate.

For the Opposite Party/s : Mr.Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

5 10-11-2020 Heard learned counsel for the petitioners and the learned A.P.P. for the State through Video Conferencing.

The petitioners apprehend their arrest in connection with Wazirganj P.S. Case No. 134 of 2018 registered under Sections 448, 341, 323, 308, 380, 379, 354 and 354(B)/34 of the Indian Penal Code.

The accusation is that on 23.05.2018, at about 8 P.M., 7 to 8 persons having lathi, stick, iron rod and pistol in their hand entered in the house of the informant, Tesh Yadav, and attacked to his family members and started to commit loot. In the meantime, two persons pointed the pistol giving threatening to kill his family members in case of lodging the



case. At that time, informant identified six persons named in the FIR including the petitioners, while he could not identify one person and one lady. Thereafter, informant and his brother, Rabindra Yadav anyhow moved from there and saved their life. In the meantime, all miscreants caused injury to Rita, wife of his brother, Ravindra Yadav and also snatched her ornaments and thereafter, his father was also assaulted by them.

Learned counsel for the petitioners submits that due to land dispute, informant lodged the present case with false allegation. Further submission is that while it is alleged that wife of Ravindra Yadav sustained injury but in the case diary, which is up to paragraph 59 dated 13.10.2020, there is no description of injury report of wife of Ravindra Yadav. Further submission is that only to harass the petitioners and other family members, informant earlier lodged Wazirganj P.S. Case No. 256 of 2017 and Wazirganj P.S. Case No. 120 of 2018, as detailed in paragraph 3 of the 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, Gaya, in connection with Wazirganj P.S. Case No. 134 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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