

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75863 of 2019

Arising Out of PS. Case No.-156 Year-2019 Thana- CHAUSA District- Madhepura

1. JITENDRA KUMAR Son of Yogi Sah @ Yogendra Sah Resident of Village- Kalasan Dhriya, Police Stastion- Chausa, District- Madhepura
2. Yogi Sah @ Yogendra Sah Son of Late Sita Ram Sah Resident of Village- Kalasan Dhriya, Police Stastion- Chausa, District- Madhepura
3. Kamo Devi W/o Yogi Sah @ Yogendra Sah Resident of Village- Kalasan Dhriya, Police Stastion- Chausa, District- Madhepura
4. Bhushan Yadav @ Chandra Bhushan Yadav Son of Ramdhari Yadav Resident of Village- Kalasan Dhriya, Police Stastion- Chausa, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anirudh Kumar Sinha

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 06-02-2020 Learned counsel for the petitioners seeks permission to withdraw the application of petitioner no.2, since during the pendency of this application, he has been arrested.

Permission is accorded.

Accordingly, the application of petitioner no.2, Yogi Sah, is dismissed as withdrawn.

Heard learned counsel for the petitioners no. 1, 3 and 4 and the learned A.P.P. appearing on behalf of the State.

The petitioners no. 1, 3 and 4 apprehend their arrest in connection with Chausa P.S. Case No. 156 of 2019



registered under Sections 399, 402, 353, 307/34 of the Indian Penal Code and 25(1-B)A, 26, 27, 35 of Arms Act.

Learned counsel appearing on behalf of the petitioners submits that petitioners no. 1, 3 and 4 are innocent and have falsely been implicated in the present case. It is submitted that nothing incriminating articles have been recovered from the possession of petitioners no. 3 and 4. Further submission of learned counsel for the petitioners is that petitioner Nos. 3 and 4 have no criminal antecedent.

Learned A.P.P. appearing on behalf of the State opposed the prayer of the petitioner no. 1 by contending that he has criminal antecedent. He is accused in several cases, as detailed in paragraph-3 of the bail application. Hence, the prayer of petitioner no.1 may be rejected.

Having considered the facts and circumstances of the case and the submissions advanced on behalf of the parties, prayer of petitioner nos. 3 and 4 is allowed and the prayer of the petitioner no.1, Jitendra Kumar, is rejected.

Let the above named petitioner no. 3, Kamo Devi and petitioner no. 4, Bhushan Yadav @ Chandra Bhushan Yadav, be released on bail, in the event of arrest or surrender before the learned Court below within a period of four 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 Sub Divisional Judicial Magistrate, Udakishunganj (Madhepura) in connection with Chausa P.S. Case No. 156 of 2019 subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Arvind Srivastava, J)

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