

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81492 of 2019

Arising Out of PS. Case No.-81 Year-2019 Thana- JADIA District- Supaul

1. Sachin Yadav @ Sachin Kumar, Son of Jagdish Yadav, Resident of Village - Jadia ward No. 06, P.S.- Jadia, District - Supaul.
2. Niraj Kumar, Son of Gajendra Yadav, Resident of Village - Jadia ward No. 06, P.S.- Jadia, District - Supaul.
3. Gajendra Yadav, Son of Late Kunjilal Yadav, Resident of Village - Jadia ward No. 06, P.S.- Jadia, District - Supaul.
4. Shailendra Yadav @ Shalendra Kumar, Son of Late Kunjilal Yadav, Resident of Village - Jadia ward No. 06, P.S.- Jadia, District - Supaul.
5. Bablu Kumar @ Bablu Kumar Yadav, Son of Ganeshi Yadav, Resident of Village - Jadia ward No. 06, P.S.- Jadia, District - Supaul.
6. Jay Kumar Yadav, Son of Late Kunjilal Yadav, Resident of Village - Jadia ward No. 06, P.S.- Jadia, District - Supaul.
7. Dilip @ Dilip Yadav, Son of Bijendra Yadav, Resident of Village - Jadia ward No. 06, P.S.- Jadia, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Kumar Mehta, Advocate.
For the Opposite Party/s : Mr.Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

5 18-06-2020 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 Jadia P.S. Case No. 81 of 2019, registered under Sections 147, 148, 149, 341, 323, 354, 307, 447, 448, 452, 461, 425, 435, 436, 379, 504 and 506 of the Indian Penal Code.

The accusation is that in the morning of 09.05.2019,



informant, Chandra Bhushan Kuamr, along with his family members were present at his house. At that time, 12 persons named in the FIR including the petitioners and 10 to 12 unknown variously armed with weapons came at his door sitting on the horses and started to make firing. In the meantime, Pradeep Yadav fired through three nut but informant save himself anyhow fleeing towards his courtyard. Thereafter, all started to abuse, entering in his courtyard and started to outrage modesty of ladies. At that time, they also tore blause of his sister-in-law with bad intention and took suitcase, ornaments and cash of Rs.40,000/-. Thereafter, on the order of Pradeep Yadav, Niraj Kumar (petitioner no.2) and Gajendra Yadav (petition no.3) put fire in the residential and straw house of the informant and they also damaged his courtyard.

Learned counsel for the petitioners submits that petitioners and the informant are co-villagers and due to dirty village politics, the present case has been lodged with false allegation. Further submission is that while it is alleged in the FIR about putting fire in the residential and straw house of the informant by Niraj Kumar (petitioner no.2) and Gajendra Yadav (petitioner no.3) but in the case diary, nothing has been detailed about putting fire at the place of occurrence.



Having regard to the facts and circumstances of the case, let the above named petitioner 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 Additional Chief Judicial Magistrate-I, Supaul, in connection with Jadia P.S. Case No. 81 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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