

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86767 of 2019

Arising Out of PS. Case No.-118 Year-2019 Thana- SONBERSA District- Saharsa

1. Arbind Yadav, aged about 60, Male, Son of Ramkrishn Yadav Resident of Village-Rakhauta, Police Station-Sonbarsa Raj, District-Saharsa.
2. Ramesh Yadav, aged about 45, Male, Son of Late Chitnarayan Yadav Resident of Village-Rakhauta, Police Station-Sonbarsa Raj, District-Saharsa.
3. Brajesh Yadav, aged about 25, Male, Son of Kailash Yadav Resident of Village-Rakhauta, Police Station-Sonbarsa Raj, District-Saharsa.
4. Sunil Yadav, aged about 28, Male, Son of Gajendra Yadav Resident of Village-Rakhauta, Police Station-Sonbarsa Raj, District-Saharsa.
5. Pankaj Yadav, aged about 26, Male, Son of Gajendra Yadav Resident of Village-Rakhauta, Police Station-Sonbarsa Raj, District-Saharsa.
6. Ankesh Yadav, aged about 24 Male, Son of Gajendra Yadav Resident of Village-Rakhauta, Police Station-Sonbarsa Raj, District-Saharsa.
7. Anil Yadav @ Anil Kumar, aged about 30 Male, Son of Late Badri Yadav Resident of Village-Rakhauta, Police Station-Sonbarsa Raj, District-Saharsa.
8. Ram Pravesh Yadav @ Ram Pravesh Kumar Yadav, aged about 27, Male, Son of Late Badri Yadav Resident of Village-Rakhauta, Police Station-Sonbarsa Raj, District-Saharsa.
9. Narad Yadav, aged about 42, Male, Son of Becho Yadav Resident of Village-Rakhauta, Police Station-Sonbarsa Raj, District-Saharsa.
10. Angej Yadav @ Anges Yadav @ Angrej Yadav, aged about 30 years, Male, Son of Becho Yadav Resident of Village-Rakhauta, Police Station-Sonbarsa Raj, District-Saharsa.
11. Bipin Yadav, aged about 32 years, Male, Son of Late Shivnandan Yadav Resident of Village-Rakhauta, Police Station-Sonbarsa Raj, District-Saharsa.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Satish Kumar Singh
For the Opposite Party	:	Mr. Anand Mohan Prasad Mehta

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

2 14-02-2020 Heard learned counsel appearing for the petitioners as

well as learned Additional Public Prosecutor for the State.



2. Petitioners apprehend their arrest in connection with Sonbarsa Raj P. S. Case No.118 of 2019 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 385, 307, 427 of the I.P.C. and Section 27 of the Arms Act.

3. It is pointed out that petitioner no.11, namely, Bipin Yadav has already been arrested and his prayer for anticipatory bail has become infructuous.

4. In view of the aforesaid submissions, the prayer for anticipatory bail of petitioner no.11, namely, Bipin Yadav stands dismissed being infructuous.

5. Admittedly, all the above stated remaining petitioners are named in the F.I.R., but no specific overt act has been attributed against them and it is only said that they were also member of unlawful assembly.

6. Learned counsel appearing for the petitioners points out that for the occurrence of the same day, two cases were lodged, one case was lodged by the prosecution party whereas another case i.e. Sonbarsa Raj P. S. Case No.119 of 2019 was lodged on behalf of the petitioners and in the aforesaid case, the prosecution party of the present case were made accused. It is further submitted that the accused persons of Sonbarsa Raj P. S. Case No.119 of 2019 have already been granted privilege of



anticipatory bail by a Co-ordinate Bench of this Court vide order dated 27.11.2019 passed in Cr. Misc. No.76985 of 2019. It is further submitted that the fact of the present case as well as fact of Sonbarsa Raj P. S. Case No.119 of 2019 goes to show that the occurrence took place on account of land dispute.

7. Considering the aforesaid facts and circumstances of the case as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioners, in the event of their arrest/ surrender within six weeks from the date of receipt of this order to the Court concerned, shall be released 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 Sri R. Kumar-VI, learned Judicial Magistrate, Saharsa in connection with Sonbarsa Raj P. S. Case No.118 of 2019, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

vikash

U		T	
---	--	---	--

