

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1343 of 2020

Arising Out of PS. Case No.-117 Year-2019 Thana- KHAIRA District- Jamui

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1. Prem Yadav @ Prem Kumar Yadav Son of Shankar Yadav
 2. Chandan Yadav Son of Shankar Yadav
 3. Mahendra Yadav Son of Lakhan Yadav
 4. Lakhan Yadav Son of Late Doman Yadav
 5. Anandi Yadav @ Anandi Prasad Yadav Son of Neman Yadav
 6. Bindeshwari Yadav @ Vansuli Yadav Son of Late Doman Yadav
- All are Resident of Village- Choukitar, P.S.- Khaira, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kartik Kumar Sinha
For the Opposite Party/s : Mr.Ashok Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 25-02-2020 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Khaira P.S. Case No. 117/2019 registered for the offences
punishable under Sections 147, 149, 448, 148, 353, 427, 433,
436, 295A, 153A and 504 of the Indian Penal Code.

According to the prosecution case, one Sakaldeo
Kumar Yadav was shot dead and the local people assembled and
blocked the road raising communal slogans and in that course
the shops and houses of some persons were put on fire. The first



information report also goes to show that the people of other community also put some houses and shops on fire.

Admittedly, petitioners are not named in the first information report and, subsequently, one Julekha Khatoon gave written report disclosing the name of the petitioners.

Submissions on behalf of the petitioners is that the name of petitioners came in this case after three days of the alleged occurrence and, moreover, the father of deceased Sakaldeo Kumar Yadav lodged Khaira P.S. case No. 116 of 2019 against the people of Muslim community, which was investigated by the police and the case was found true. He, further, submits that no specific overt act has been attributed against these petitioners and the present case was lodged against more than 200 unknown persons.

Considering the aforesaid facts and circumstances as well as submissions of the parties, it is ordered that above named 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 learned Chief Judicial Magistrate, Jamui in Khaira P.S. Case No. 117/2019 subject



to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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