

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86568 of 2019

Arising Out of PS. Case No.-19 Year-2017 Thana- MAHILA P.S. District- Araria

1. Mahendra Yadav Son of Fatkan Yadav Resident of Village - Bhangahi, P.S.- Fulkaha, Distt.- Araria,
2. Ramanand Yadav Son of Late Khatam Lal Yadav Resident of Village - Bhangahi, P.S.- Fulkaha, Distt.- Araria,
3. Parmanand Yadav Son of Late Khatam Lal Yadav Resident of Village - Bhangahi, P.S.- Fulkaha, Distt.- Araria,
4. Manoj Yadav Son of Late Khatam Lal Yadav Resident of Village - Bhangahi, P.S.- Fulkaha, Distt.- Araria,
5. Dayanand Yadav Son of Darap Lal Yadav Resident of Village - Bhangahi, P.S.- Fulkaha, Distt.- Araria,
6. Shambhu Yadav Son of Yogendar Yadav Resident of Village - Bhangahi, P.S.- Fulkaha, Distt.- Araria,
7. Bhupendra Yadav Son of Ramanand Yadav Resident of Village - Bhangahi, P.S.- Fulkaha, Distt.- Araria,
8. Pardip Yadav Son of Parmanand Yadav Resident of Village - Bhangahi, P.S.- Fulkaha, Distt.- Araria,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Prasad Singh

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-02-2020 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case
registered for the offences punishable under Sections 447, 341,
323, 379, 354, 427 and 504/34 of the Indian Penal Code.

The prosecution case as per the written report of



Kiran Devi submitted to Station House Officer of Mahila Police Station, Araria is to the effect that on 23.04.2017 at 6.00 P.M., the informant noticed that cattle of all the FIR named accused persons including the petitioners were grazing in the maize field of the informant. On protest being made, the accused persons assaulted the informant and made her semi naked and also took away her gold chain and a silver payal.

It is submitted by learned counsel for the petitioners that for the alleged occurrence of 23.04.2017, the FIR has been registered on 03.05.2017 without any explanation for delay. It is further submitted that no injury has been caused to the informant and genesis of the occurrence is previous enmity and land dispute. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the petitioners are named in the FIR with specific accusation.

Considering the delayed lodging of the case and genesis of the occurrence being land dispute and previous enmity, coupled with the statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on



anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Araria in connection with Araria Mahila P.S. Case No. 19 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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