

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2200 of 2021

Arising Out of PS. Case No.-24 Year-2021 Thana- KURSAKANTA District- Araria

1. Chhotu Yadav @ Chhotu Kumar Yadav Son of Bishundeo Yadav Resident of Village- Bakhri, P.S.- Kursakanta, District- Araria.
2. Bipatti Yadav Wife of Bishundeo Yadav Resident of Village- Bakhri, P.S.- Kursakanta, District- Araria.
3. Butia Devhi @ Bhulia Devi Wife of Devendra Yadav Resident of Village- Bakhri, P.S.- Kursakanta, District- Araria.
4. Ruchi Kumari Daughter of Bishundeo Yadav Resident of Village- Bakhri, P.S.- Kursakanta, District- Araria.
5. Chhotu Yadav @ Chhotu Kumar Yadav Son of Ghinai Yadav Resident of Village- Bakhri, P.S.- Kursakanta, District- Araria.
6. Ajay Yadav Son of Lerahu Yadav Resident of Village- Bakhri, P.S.- Kursakanta, District- Araria.
7. Bishundeo Yadav Son of Late Akloo Yadav Resident of Village- Bakhri, P.S.- Kursakanta, District- Araria.
8. Puja Kumari @ Puja Devi Daughter of Bishundeo Yadav Resident of Village- Bakhri, P.S.- Kursakanta, District- Araria.
9. Nanhki Yadav @ Nanhki Devi Wife of Rajesh Yadav Resident of Village- Bakhri, P.S.- Kursakanta, District- Araria.
10. Mithhu Yadav @ Mitthu Kumar Yadav Son of Bishundeo Yadav Resident of Village- Bakhri, P.S.- Kursakanta, District- Araria.
11. Vijay Yadav Son of Late Lerahu Yadav Resident of Village- Bakhri, P.S.- Kursakanta, District- Araria.
12. Dhiraj Yadav Son of Domi Yadav Resident of Village- Bakhri, P.S.- Kursakanta, District- Araria.
13. Rajesh Yadav Son of Late Chhutarahu Yadav Resident of Village- Bakhri, P.S.- Kursakanta, District- Araria.
14. Saban Kumar @ Shawan Yadav Son of Kashi Yadav Resident of Village- Kowakoh, P.S.- Bardaha O.P., District- Araria.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Ravindra Kumar Singh
For the Respondent/s	:	Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 25-10-2021 Learned counsel for the appellants seeks permission to withdraw the application of Chhotu Yadav @ Chhotu Kumar Yadav (appellant no.1), Nanhki Yadav @ Nanhki Devi (appellant no.9), Mithhu Yadav @ Mitthu Kumar Yadav (appellant no. 10) and Vijay Yadav (appellant no.11) as they have already been arrested.

Permission is accorded.

The application of Chhotu Yadav @ Chhotu Kumar Yadav (appellant no.1), Nanhki Yadav @ Nanhki Devi (appellant no.9), Mithhu Yadav @ Mitthu Kumar Yadav (appellant no. 10) and Vijay Yadav (appellant no.11) is, accordingly, dismissed as withdrawn.

Heard learned counsel for appellant nos.2, 3, 4, 5, 6, 7, 8, 12, 13 and 14 and learned Special P.P. for the State.

The appellants seek pre-arrest bail in connection with Kursakanta P.S. Case No.24 of 2021 registered under Sections 147, 148, 149, 341, 323, 332, 333, 353, 186, 354, 307, 427, 337 and 504 of the Indian Penal Code and Section 3(i)(r)/3(i)(s), 3(2)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Submission of learned counsel for the appellants is

that the appellants are innocent and have falsely been implicated in the present case. Further submission is that there is no specific allegation against the appellants and it is a general and omnibus. The appellants have got no criminal antecedent.

Learned Special P.P. vehemently opposed the prayer for anticipatory bail. It is submitted that the appellants and other accused persons have abused and assaulted the police personnel including the female members at the time of raid and created obstacle in discharging the duty of public servants. Therefore, the appellants do not deserve anticipatory bail.

Having considered the facts and circumstances of the case as well as the nature of allegations made against the appellants, I am not inclined to grant anticipatory bail to the appellants. Accordingly, the same is rejected.

(Arvind Srivastava, J)

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