

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40539 of 2020

Arising Out of PS. Case No.-237 Year-2019 Thana- BUXAR MUFFSIL District- Buxar

1. RAJU YADAV @ RAJU KUMAR YADAV Son of Shivnath Yadav Resident of Village - Kulharia, Police Station - Buxar (M), District - Buxar.
2. Sanju Devi Wife of Jai Praksh Yadav Resident of Village - Kulharia, Police Station - Buxar (M), District - Buxar.
3. Nilam Devi Wife of Raju Yadav @ Raju Kumar Yadav Resident of Village - Kulharia, Police Station - Buxar (M), District - Buxar.
4. Shivnath Yadav Son of Late Ram Kishun Yadav Resident of Village - Kulharia, Police Station - Buxar (M), District - Buxar.
5. Jai Prakash yadav Son of Shivnath Yadav Resident of Village - Kulharia, Police Station - Buxar (M), District - Buxar.
6. Kashmira Kumari @ Jeera Daughter of Shivnath Yadav Resident of Village - Kulharia, Police Station - Buxar (M), District - Buxar.

... .. Petitioners.

Versus

THE STATE OF BIHAR

... .. Opposite Party.

Appearance :

For the Petitioners	:	Mr. Rajeev Ranjan, Advocate.
For the State	:	Mr. Shailendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 24-07-2021 As prayed for, through Video Conferencing, let the learned counsel for the petitioners remove the defect(s), as pointed out by the office vide its notes dated 24/26.12.2020, within four weeks of starting of the Court proceeding in physical mode in normal course.

At the very outset, learned counsel for the petitioners, through Video Conferencing, submits that the petitioner no.1, namely, Raju Yadav alias Raju Kumar Yadav, has already been



arrested by the police in this case and, as such, this application in respect of the petitioner no.1, namely, Raju Yadav alias Raju Kumar Yadav, to grant him the privilege of pre-arrest bail has become infructuous and seeks permission to withdraw this application in respect of the petitioner no.1, namely, Raju Yadav alias Raju Kumar Yadav.

Permission is accorded.

This application in respect of the petitioner no.1, namely, Raju Yadav alias Raju Kumar Yadav, is dismissed as withdrawn.

Now, only the prayer of the petitioner nos.2, 3, 4, 5 and 6, namely, Sanju Devi, Nilam Devi, Shivnath Yadav, Jai Prakash Yadav and Kashmira Kumari alias Jeera respectively, for grant of privilege of pre-arrest bail is being considered, through Video Conferencing.

Heard learned counsel for the petitioner nos.2, 3, 4, 5 and 6, above named, and the learned A.P.P. for the State, through Video Conferencing.

The petitioner nos.2, 3, 4, 5 and 6, above named, apprehend their arrest in connection with Buxar (Muffasil) P.S. Case No.237 of 2019 registered under Sections 341, 323, 379, 354(A), 504 and 506/34 of the Indian Penal Code.



The accusation is that in the evening of 31.07.2019, the informant Manju Devi was cleaning her house. At that time, Sanju Devi (petitioner no.2), after cleaning her room, threw the garbage at the informant on which protest was made by the informant, then the petitioner no.2, while abusing to the informant came out of the house and dashed her by catching her hair and started to cause assault her through leg. Thereafter, the petitioner no.2 called her husband Jai Prakash Yadav (petitioner no.5), Nilam Devi (petitioner no.3) and Shivnath Yadav (petitioner no.4), who also started to cause assault to the informant through danda, leg and slaps. On the alarm being raised by the informant Dhanu Kumar and Priyanshu Kumari, the son and the daughter respectively of the informant, rushed to save the informant, then they were also assaulted. At that time, Jai Prakash Yadav (petitioner no.5) instigated others to kill, then Raj Kumar, Jai Prakash (petitioner no.5) and Raju Kumar started to drag the informant from her house due to which the informant became half nude. Kashmira Kumari alias Jeera (petitioner no.6) also caused injury to the son and the daughter of the informant through Danda and also snatched the gold chain from the neck of the informant.

Learned counsel for the petitioner nos.2, 3, 4, 5 and 6,



above named, submits that the petitioner nos.2, 3, 4, 5, and 6, above named, are the co-villagers of the informant and due to petty dispute, the informant has lodged the present case with false allegation.

Having considered the facts and the circumstances of the case, let the petitioner nos.2, 3, 4, 5 and 6, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Buxar, in connection with Buxar (Muffasil) P.S. Case No.237 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

Accordingly, this application stands disposed of.

(Rajendra Kumar Mishra, J)

P.S./-

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

