

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5042 of 2021

Arising Out of PS. Case No.-4 Year-2020 Thana- LUTUA District- Gaya

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1. SHALIGRAM YADAV S/O CHOKI YADAV RESIDENT OF VILLAGE-JIKATIYA, P.O.-PARUHARA, DISTRICT-GAYA
 2. RUBI DEVI W/O BALDEO YADAV RESIDENT OF VILLAGE-JIKATIYA, P.O.-PARUHARA, DISTRICT-GAYA
 3. SONWA DEVI @ SONA DEVI W/O SHALIGRAM YADAV RESIDENT OF VILLAGE-LUTUA TOLA BAHERA, POLICE STATION-LUTUA, DISTRICT-GAYA.
 4. SAMUNDARI DEVI @ SUNDARI DEVI W/O SHAMBHU YADAV RESIDENT OF VILLAGE-LUTUA TOLA BAHERA, POLICE STATION-LUTUA, DISTRICT-GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmesh Kumar
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 10-09-2021 Heard Mr. Dharmesh Kumar, the learned counsel

for the petitioners and the learned APP for the State.

Mr. Kumar, learned counsel for the petitioners

seeks permission to withdraw the application with respect to

petitioner no. 1, who has been arrested during the pendency

of this petition.

The application with respect to petitioner no.

1/Shaligram Yadav is dismissed as having become

infructuous.



The petitioner nos. 2 to 4 seek bail in anticipation of their arrest in connection with Lutua P.S. Case No. 4/2020 instituted for the offence under Sections 147, 148, 149, 341, 323, 307 and 504 of the Indian Penal Code.

The accusation against the petitioners is of having assaulted the members of the prosecution party.

Learned counsel for the petitioners has submitted that the petitioner no. 2 had also filed a case against the informant vide Lutua P.S. Case No. 3 of 2020 for having violated the restraint order passed by the CEO, Bankey Bazar, Gaya. An Encroachment Case was initiated against the informant vide Encroachment Case No. 4/2019-20 for him and others having carried out construction over a Government land. This perhaps is the bone of contention between the parties. Hence, the implication of the petitioner nos. 2 to 4 along with petitioner no. 1, whose case has become infructuous.

Considering the nature of accusation and the background facts, the petitioner no. 2/ Rubi Devi, petitioner no. 3/ Sonwa Devi @ Sona Devi and petitioner no. 4/



Samundari Devi @ Sundari Devi are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Sherghati, Gaya, in connection with Lutua P.S. Case No. 4/2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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