

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79667 of 2019

Arising Out of PS. Case No.-639 Year-2018 Thana- SAUR BAZAR District- Saharsa

1. RAJ KISHORE YADAV Son of Late Jago Yadav Resident of Village - Nado, P.S.- Sour Bazar, Distt - Saharsa.
2. Sujeet Yadav Son of Virendra Yadav Resident of Village - Nado, P.S.- Sour Bazar, Distt - Saharsa.
3. Gajendra Yadav Son of Late Bhaiya Ram Yadav Resident of Village - Nado, P.S.- Sour Bazar, Distt - Saharsa.
4. Ghan Shayam Yadav Son of Dev Narayan Yadav Resident of Village - Nado, P.S.- Sour Bazar, Distt - Saharsa.
5. Mantu Yadav Son of Naresh Yadav Resident of Village - Nado, P.S.- Sour Bazar, Distt - Saharsa.
6. Manish Yadav Son of Pawan Yadav Resident of Village - Nado, P.S.- Sour Bazar, Distt - Saharsa.
7. Manoj Sah Son of Tarni Sah Resident of Village - Nado, P.S.- Sour Bazar, Distt - Saharsa.
8. Pikesh Yadav Son of Kapildeo Yadav Resident of Village - Nado, P.S.- Sour Bazar, Distt - Saharsa.
9. Amrendra Yadav Son of Late Bhiya Ram Yadav Resident of Village - Nado, P.S.- Sour Bazar, Distt - Saharsa.
10. Dipak Kumar Son of Gajendra Yadav Resident of Village - Nado, P.S.- Sour Bazar, Distt - Saharsa.
11. Santosh Kumar Yadav @ Santosh Yadav Son of Dinesh Yadav Resident of Village - Nado, P.S.- Sour Bazar, Distt - Saharsa.
12. Kamlesh Yadav @ Kamlesh Kumar Yadav Son of Arun Yadav Resident of Village - Nado, P.S.- Sour Bazar, Distt - Saharsa.
13. Roshan Yadav Son of Gajendra yadav Resident of Village - Nado, P.S.- Sour Bazar, Distt - Saharsa.
14. Pawan Yadav Son of Budhan Yadav Resident of Village - Nado, P.S.- Sour Bazar, Distt - Saharsa.
15. Paplesh Yadav Son of Arun Yadav Resident of Village - Nado, P.S.- Sour Bazar, Distt - Saharsa.
16. Dharanjay Yadav Son of Chalitar Yadav Resident of Village - Nado, P.S.- Sour Bazar, Distt - Saharsa.
17. Ganesh Yadav Son of Siya Ram Yadav Resident of Village - Nado, P.S.- Sour Bazar, Distt - Saharsa.
18. Dinesh Sah Son of Tarni Sah Resident of Village - Nado, P.S.- Sour Bazar, Distt - Saharsa.
19. Rajesh Kumar Son of Gajendra Yadav Resident of Village - Nado, P.S.- Sour Bazar, Distt - Saharsa.
20. Rahal Yadav Son of Gajendra Yadav Resident of Village - Nado, P.S.- Sour



Bazar, Distt - Saharsa.

21. Raj Kumar Yadav Son of Pukar Yadav Resident of Village - Nado, P.S.- Sour Bazar, Distt - Saharsa.
22. Pukar Yadav Son of Late Jogan Yadav Resident of Village - Nado, P.S.- Sour Bazar, Distt - Saharsa.
23. Roshan Yadav Son of Thakko Yadav Resident of Village - Nado, P.S.- Sour Bazar, Distt - Saharsa.
24. Gautam Yadav Son of Bhavesh Yadav Resident of Village - Nado, P.S.- Sour Bazar, Distt - Saharsa.
25. Ashok Yadav Son of Upendra Yadav Resident of Village - Nado, P.S.- Sour Bazar, Distt - Saharsa.
26. Virendra Yadav Son of Late Chandra Kishore Yadav Resident of Village - Nado, P.S.- Sour Bazar, Distt - Saharsa.
27. Jai Ram Yadav Son of Upendra Yadav Resident of Village - Nado, P.S.- Sour Bazar, Distt - Saharsa.
28. Bhavesh Yadav Son of Late Siyaram Yadav Resident of Village - Nado, P.S.- Sour Bazar, Distt - Saharsa.
29. Arun Yadav Son of Mohan Yadav Resident of Village - Nado, P.S.- Sour Bazar, Distt - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Md. Harun Quareshi, Adv.
For the Opposite Party/s : Mr. Ramchandra Sahni, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 22-10-2021 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners is expected to
honour his undertaking to remove the defects as pointed out by
the office when called upon to do so by the office.



The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Sour Bazar P.S. Case no. 639 of 2018 instituted for the offence punishable under Sections 341, 323, 324, 307, 379, 427, 504, 506 and 34 of the Indian Penal Code.

As per allegation in the FIR, petitioners are armed with various weapons, surrounded the informant and assaulted him with intention to kill. When his family members came there to rescue him, they were also beaten up by them and they snatched an amount of Rs. 5,000 and a golden chain worth Rs. 80,000/-.

It is submitted by learned counsel for the petitioners that petitioners are falsely implicated in this case due to dirty village politics. They have got no criminal antecedent. Both the parties have received injuries, which are simple in nature. The matter has been compromised between the parties and in this regard a joint compromise petition has been filed as Annexure-2 to this petition. Learned counsel for the petitioner has further submitted that it is a fit case for granting anticipatory bail.

Learned APP has opposed the prayer for granting anticipatory bail.

Having heard learned counsel for the parties and



considering that the matter has been compromised between the parties, this Court is inclined to enlarge all the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Sour Bazar P.S. Case No. 639 of 2018, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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