

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63926 of 2022

Arising Out of PS. Case No.-89 Year-2017 Thana- NAUHATTA District- Saharsa

1. KANCHAN DEVI Wife of Om Prakash Yadav Resident of village - Jori, P.S.- Nauhatta, District - Saharsa.
2. Om Prakash Yadav Son of Late Raghunath Yadav Resident of village - Jori, P.S.- Nauhatta, District - Saharsa.
3. Rabi Shankar Subhash @ Subhash Yadav Son of Kamleshwari Yadav Resident of village - Jori, P.S.- Nauhatta, District - Saharsa.
4. Rajesh Yadav Son of Late Kameshwar Yadav @ Kameshwar Prasad Yadav Resident of village - Jori, P.S.- Nauhatta, District - Saharsa.
5. Sulendra Yadav @ Sulen Kumar Son of Chandeshwari Yadav Resident of village - Jori, P.S.- Nauhatta, District - Saharsa.
6. Sunil Kumar Son of Ramdeo Yadav Resident of village - Jori, P.S.- Nauhatta, District - Saharsa.
7. Rabindra Kumar Son of Mahendra Yadav Resident of village - Jori, P.S.- Nauhatta, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Adv.
For the Opposite Party/s : Mr.H.A.Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-02-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offence punishable u/s 147/148/149/409/379/420/467/468/506/323/120(B) of the IPC and section 3 of Damage of Public Property Act, 1984.

Allegation against the petitioner is of removing the bricks of the road and selling it without permission, which caused loss of Rs.4-5 Lacs.



It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to oblique motive. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. No recovery has been made from the conscious physical possession of the petitioners. Petitioners were granted the benefit of section 41 (a) of the Cr.P.C. Petitioner nos.2, 4, 6 and 7 have one criminal antecedent and rest petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Nauhatta P.S. Case No.89 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

pallavi/-

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

