

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13107 of 2024

Arising Out of PS. Case No.-245 Year-2023 Thana- BUXAR RAIL P.S. District- Bhojpur

1. Dinanath Yadav, Son of Late Rambaran Yadav Resident of Village- Raghunathpur, P.S.- Barahampur, District- Buxar
2. Shree Nivas Yadav, Son of Dinanath Yadav Resident of Village- Raghunathpur, P.S.- Barahampur, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Prabhat Kumar Singh
For the Opposite Party/s :	Mr.Shahabuddin Azeem @ S. Azeem
	Mr.Chandra Bhushan Prasad (APP)

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 01-08-2024 1. Heard learned counsel for the petitioners and learned APP for the State.
2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 341, 323, 379, 307, 325, 504, 506 and 34 of the Indian Penal Code.
3. The learned counsel for the petitioners submits that the petitioners have antecedent of one case and petitioner no.2 is son of petitioner no.1 and the injured of the case Santosh Yadav is nephew of the petitioner no.1 and the informant is wife of Santosh Yadav.
4. The learned counsel for the petitioners submits



that from perusal of the allegation as alleged in the F.I.R., it would manifest that the informant alleges that while her husband had gone to sell articles on the train and was waiting for the train at Raghunathpur Station, when the accused persons including the petitioners came and assaulted him brutally and thinking him to be dead threw him Sikariya station and even took out Rs.50,000/- from his pocket, but when he gained conscious, thereafter the villagers were informed, who took him to Raghunathpur Primary Health Centre where he was sent to P.M.C.H. for better treatment. Further, alleges that the occurrence was committed at the behest of Raj Narayan Yadav.

5. The the learned counsel for the petitioners submits that informant deliberately concealed her relationship with the petitioners. It is also submitted that from reading of the allegation as alleged in the F.I.R. it gives an impression as if the husband of the informant was waiting at the railway station when criminals intercepted him and assaulted him. It is also submitted that Dadan Yadav is Samdhi of Dinanath and is a resident of a different village,



but he also stands implicated. It is submitted that entire family members has been implicated in order to coerce into submission, so that they part with the property.

6. Learned A.P.P. opposes the anticipatory bail application.

7. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Railway Judicial Magistrate, Bhojpur at Ara in connection with Buxar Rail P. S. Case No.245 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. The application stands allowed.

(Satyavrat Verma, J)

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