

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86592 of 2023

Arising Out of PS. Case No.-25 Year-2019 Thana- ROSERA District- Samastipur

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1. AMIT KUMAR @ AMIT KUMAR YADAV SON OF BHUDEO YADAV
R/O VILLAGE- PANCHUPUR, WARD NO. 4, P.S.- ROSERA, DIST.-
SAMASTIPUR
 2. NATRAJ YADAV SON OF DEVENDRA YADAV @ NATHO YADAV R/O
VILLAGE- MABBI, WARD NO. 10, MOHIUDDINPUR, P.S.- ROSERA,
DIST.- SAMASTIPUR
 3. RAM LAKHAN YADAV SON OF DEVENDRA YADAV @ NATHO
YADAV R/O VILLAGE- MABBI, WARD NO. 10, MOHIUDDINPUR,
P.S.- ROSERA, DIST.- SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Anand

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-01-2024

1. Heard the parties.

2. The petitioners apprehend their arrest in connection
with Rosera PS Case No. 25 / 2019 dated 28.01.2019 registered
under Sections 302 / 201 / 34 of the I.P.C.

3. As per the First Information Report due to land
dispute the petitioners along with other accused persons forcibly
took away the younger sister of the informant, assaulted her and
pressed her neck and threw her dead body near Shiv temple at



Panchupur, Samastipur.

4. Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case due to land dispute between Amit Kumar and the brother-in-law of the informant. The Police has investigated the case and has not found the case against the petitioners as true and the petitioners have not been sent for trial. Charge sheet has only been submitted against the co-accused / Pawan Kumar Gayak @ Pawan Kumar Sharma. However, the learned Magistrate has differed with the police report and has taken cognizance against the petitioners also.

5. Regard being had to the submission made by the parties, taking into consideration the fact that after investigation Police submitted final form not sending the petitioners for trial, as such, I am inclined to grant anticipatory bail to the petitioners.

6. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M. 1st Rosera in connection with Rosera P.S. Case No.



25 / 2019 subject to the condition as laid down under Section
438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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