

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13023 of 2015

Arising Out of PS.Case No. -349 Year- 2014 Thana -TEKARI District- GAYA

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1. Ram Pravesh Yadav, Son of Shyam Lal Yadav
 2. Birju Yadav, Son of Shyam Lal Yadav
 3. Fantush Yadav, Son of Ram Pravesh Yadav
 4. Chhotu Yadav, Son of Late Vijay Yadav,
- All resident of Village- Karhara, P.S.- Tekari, Dist- Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate
For the Opposite Party/s : Mr. Prem Kumar Jha (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 28-05-2015 Heard learned counsel for the petitioners and the learned
counsel for the State.

The petitioner Nos.1 and 2 are in custody since 17.11.2014 and petitioner Nos.3 and 4 are in custody since 20.11.2014 in connection with Tekari P.S. Case No.349 of 2014 registered for the offence under Sections 302/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case on account of land dispute but, in fact, the petitioners have no land in the village. Learned counsel further submits that the false implication arose only because of the fact that the prosecution

party had stolen money from the house of petitioner No.1 Ram Pravesh Yadav and also because of the fact that these petitioners had organized a *Panchayati* in which the informant's side had been asked to repay the amount so taken away from the house of these petitioners that the present petitioners have been roped in the present case. Learned counsel submits that there is no specific allegation against any of the petitioners; rather there is a general and omnibus allegations made against them. It is further submitted that though none of the petitioners have any criminal antecedent, yet they are languishing in jail.

Considering the aforementioned submissions and also the facts that the matter can be determined at the trial, let all the above named petitioners be released on bail on their furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Shri Kumar Gunjan, learned Judicial Magistrate, 1st Class, Gaya, in connection with Tekari P.S. Case No.349 of 2014.

(Anjana Mishra, J)

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