

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41964 of 2014

Arising Out of PS.Case No. -98 Year- 2014 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

- =====
- 1. Dular Chand Yadav @ Dularchan Yadav S/o Banti Yadav
 - 2. Moti Lal Yadav S/o bansi Yadav
 - 3. Ram Dayal Yadav S/o Inar Yadav
 - 4. Paspat Yadav S/o Sudhai Yadav
 - 5. Chandrika Yadav S/o Inar Yadav
 - 6. Fulena Yadav S/o Mukul Yadav
 - 7. Mansi Yadav S/o Sudhai Yadav All Are Resident of Village- Sareya Ahir Tola, Police Station, Paharpur, District- East Champaran.

.... Petitioner/s

Versus

- 1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar
For the Opposite Party/s : Mr. Bhanu Pratap Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER**

2 04-03-2015 Learned counsel for the petitioner and the State.

There are seven petitioners in the present application seeks anticipatory bail, who are accused in a case registered for the offence under Sections 341, 323, 324, 504, 147, 379 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that the present Paharpur P. S. Case No. 98 of 2014 is counter blast of the earlier case instituted by the petitioner No. 1 Dular Chand Yadav @ Dularchand Yadav being Paharpur P.S.Case No. 86 of 2014

lodge on 23.5.2014. He submits that admittedly there is property dispute between the parties, who are agnates. He further submits that there is no specific allegation of assault against the petitioners except, petitioner No.1. Petitioner No. 1, is said to have given farsa blow upon the informant, causing injuries.

Learned counsel appearing on behalf of the informant opposing the prayer for bail, has submitted that information on the basis of which Paharpur P.S. Case No.98/14 came to be registered was given to the Town P.S. Case on 21.5.2014 itself. He further submits that in any case, petitioner No. 1 can not be granted the privilege of anticipatory bail, as he had given farsa blow upon the informant, causing serious injuries on the head.

Considering the facts and rival submission of the parties, in case of arrest or surrender within a period of four weeks, the above named petitioner Nos. 2 to 7 be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st class, East Champaran at Motihari in connection with Paharpur P.S. Case No. 98 of 2014, G.R. No. 2038 of 2014, subject to condition as laid down under Section 438(2) of Cr. P.C.

Considering the above circumstances, I am not inclined to

grant anticipatory bail to the petitioner No. 1 and his prayer for anticipatory bail is here by rejected.

(Chakradhari Sharan Singh, J)

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