

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48808 of 2014

Arising Out of PS.Case No. -150 Year- 2014 Thana -MADHEPURA District- MADHEPURA

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1. Ram Charitra Yadav Son of Late Kanik Yadav resident of village - Lachhminia, P.S. Ghailardh District - Madhepura
 2. Akhilesh Kumar son of Nunulal Yadav resident of village - Tulsitola, Jiwachhpur, P.S. Gamaharia, District - Madhepura

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh

For the Opposite Party/s : Mr. Dr.Ajit Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 23-04-2015

Heard learned counsel for the petitioners as well as learned counsel for the State.

In this application for anticipatory bail the petitioners apprehend their arrest for the offences punishable under sections 341, 323, 324, 307, 379, 504 and 506/34 of the I.P.C.

Allegedly, the petitioner no. 1 started making construction of the house which was protested by the informant and then Chandrashekhar Kumar son of petitioner no.1 gave Dabia blow on his head and when Rajesh Kumar Yadav and Maheshwari Yadav came for intervention they were also assaulted by Rod and Dabia and further Chandan Devi pressed the testicles of Maheshwari Yadav and started throwing bricks. It is also alleged

that petitioner no.2 was also called in the occurrence.

Submission is of false implication and that there is bonafide land dispute between the parties. Plinth in the house of the petitioners was completed and work was going on for the last 4-5 days without protest of the informant. The informant is driver of one doctor who has manipulated the injury report of the case. There is case and counter case bearing Madhepura (Ghailardh) P.S. Case No. 269 of 2014. Against the petitioners there is no specific allegation and as such they deserve sympathetic consideration, to which the learned A.P.P. opposes.

Considering that specific allegation of giving Dabia blow is against co-accused Chandrashekhar Kumar and not against the petitioners and as such the petitioners in case of their arrest or surrender within two months from the date of receipt/production of a copy of this order shall 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. C.J.M. Madhepura in Madhepura (Ghailardh) P.S. Case No. 150 of 2014, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

Abhay/-

(Jitendra Mohan Sharma, J)

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