

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.55639 of 2015**

Arising Out of PS.Case No. -146 Year- 2015 Thana -SIMRI District- BUXAR

- =====
1. Vishwanath Yadav S/o Darasu Yadav
  2. Amarjeet Yadav S/o Kanhaiya Yadav
  3. Lallu Yadav S/o Baban Yadav All residents of Village - Dumari, P.S. - Simri, Distt. - Buxar.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Digvijay Kumar Ojha

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

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      08-12-2015      Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 452, 342, 323, 324, 307, 373 and 506/34 of the Indian Penal Code.

The prosecution case is that the accused persons including the petitioners forcefully erected a hut on the land of the informant and on protest being made, accused persons abused and assaulted the informant. It is specifically alleged that the petitioner no.1, Vishwanath Yadav assaulted Bimlesh Yadav, petitioner no.2 Amarjeet Yadav assaulted Shyam Sunderi Devi by iron rod on the head and snatched gold chain and Mangal Sutra. Petitioner no.3, Lallu Yadav assaulted Nandjee Yadav by axe on his head.

It is submitted by learned counsel for the petitioners that in the background of land dispute, the accusation has been levelled when the injuries of all the injured have been found to be simple caused by hard and blunt substance when it is specifically alleged that petitioner no.3, Lallu Yadav assaulted Nandjee Yadav by axe. It is further submitted that the FIR was registered on 15.07.2015 which reached to the court of learned In-charge CJM on 17.07.2015 which reflects that by antedating the FIR was registered. A statement has been made in para 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Buxar in connection with Simri P.S. Case No. 146 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

**(Dinesh Kumar Singh, J)**

Amrendra/-

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