

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55298 of 2015

Arising Out of PS.Case No. -92 Year- 2015 Thana -KATRA District- MUZAFFARPUR

- =====
1. Bhola Prasad Yadav @ Bhola Rai Son of Asheshwar Rai
 2. Asheshwar Rai Son of Late Laxman Rai
 3. Anand Mohan alias Prmaod Kumar alias Anand Mohan Kumar Son of Bhola Rai

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar 1 (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 07-12-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 341, 323, 324 and 307 of the Indian Penal Code. Subsequently, section 302 IPC was also added.

It is alleged that petitioner no.1, Bhola Prasad Yadav, took the informant to his door on the pretext of 'Panchayati' where daughter of petitioner no.1, co-accused Arun Kumar, Amrendra Kumar and petitioner no.3, Anand Mohan, were present and they wanted to take thumb impression of the informant for grabbing of his land. On non-agreement to put thumb impression, sons of Bhola Rai, namely, Arun Kumar and Amrendra wrapped towel around the neck of the informant. On hearing noise when grand-daughter of the informant came to rescue then she was also assaulted by

the accused persons and rupees four hundred were snatched. Subsequently, the informant died.

It is submitted by learned counsel for the petitioners that in the background of land dispute the accusation has been levelled and the nature of injury has been found to be simple. There counter version of the occurrence also and the accusation is omnibus and general. The medical report suggests that the informant died due to lung disease. However, viscera has been kept reserved. Moreover, A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners 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) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Muzaffarpur in connection with Katra P.S. Case No.92 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

U		T	
---	--	---	--