

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37264 of 2015

Arising Out of PS.Case No. -2 Year- 2013 Thana -BAHERI District- DARBHANGA

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1. Dhirendra Kumar Yadav @ Dhirendra Yadav son of Sarwllal Yadav,
resident of village- Balalt, Police Station- Baheri and District-
Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-09-2015

Heard learned counsels for the petitioner and

the State.

Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 379, 504 of the Indian Penal Code and Section 3/4 of the Explosive Substances Act.

The prosecution case is that the petitioner and other accused persons tried to cut trees from the land of Math. On protest being made by the informant, on the order of co-accused Raj Kishore Yadav this petitioner assaulted with farsa on the head of the informant and when the informant fell down then other accused persons assaulted the informant. It is further alleged that co-accused Kamal Narayan Yadav exploded explosives on the wall of the Math.

It is submitted by learned counsel for the petitioner that in the background of land dispute the

accusation has been levelled. In fact the land was donated to the Math by the grand-father of co-accused Raj Kishore Yadav and Title Suit No. 122 of 1951 was filed by the then Mahant of the Math but the same was dismissed and since then the accused persons are in possession of the land in question. It is further submitted that for the occurrence of 09.12.2012 the First Information Report was registered on 01.01.2013. Moreover there is no accusation of repeating the blow.

It is submitted by learned counsel for the informant that accusation of assault is specific against the petitioner and petitioner has made wrong statement in para 3 of the petition that petitioner has no criminal antecedent, rather petitioner is accused in two other cases.

Let learned Court below consider the prayer for regular bail of the petitioner, keeping in view of the fact that other co-accused have been granted anticipatory bail by this Court, if the petitioner surrenders within a period of six weeks in connection with Baheri P.S. Case No. 02 of 2013, pending in the Court of learned Chief Judicial Magistrate, Darbhanga.

With the observations above, the application stands disposed off.

(Dinesh Kumar Singh, J)

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