

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25815 of 2015

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

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1. Raj Kishore Yadav son of Maksudan Yadav.
 2. Ajay Kumar Yadav Son of Laxmikant Yadav
 3. Abhishek Kant Roy Son of Laxmikant Yadav
 4. Shyam Kumar Yadav son of Rajakant Yadav.
 5. Laxmikant Yadav son of Sarvlal Yadav
 6. Bechan Sharma son of Chanardeve Sharma.
 7. Laxman Sharma son of Brahmdev Sharma.

.... 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, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-07-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147/148/149/341/323/324/379/504 of the Indian Penal Code and 3/4 of the Explosive Substance Act.

It is alleged that when the accused persons including the petitioner tried to cut trees from the land of Math when protest was made by the informant then on the order of petitioner no.1 co-accused Dhirendra Yadav assaulted with 'farsa' on the head of the informant when the informant fell down other

petitioners also assaulted. It is further alleged that co-accused Kamal Narayan Yadav exploded explosive on the wall of the Math.

It is submitted by learned counsel for the petitioners that in the background of land dispute the accusation has been levelled. In fact, the land was donated to the Math by the grandfather of petitioner no.1 and Title Suit No.122 of 1951 was filed by the then Mahant of the Math but the same was dismissed and since the petitioners are in possession of the land in question. It is further submitted that for the occurrence of 09.12.2012, the FIR was registered on 01.01.2013. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering accusation being omnibus and general and co-accused Dhirendra Yadav and Kamal Narayan Yadav, against whom the accusation is specific, are not petitioner in the present case and, moreover, the accusation has been levelled in the background of land dispute, 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 Chief Judicial Magistrate, Darbhanga in connection with
Baheri P.S. Case No.2 of 2013, subject to the conditions as laid
down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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