

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14343 of 2016

Arising Out of PS.Case No. -212 Year- 2015 Thana -BIHRA District- SAHARSA

1. Md. Yusuf Son of Md. Habib Resident of Village- Bijalpur, PS- Bihra,
District Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhim Kumar Yadav

For the Opposite Party/s : Mr. Aditya Nr. Singh1 (App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 20-05-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

This application for grant of anticipatory arises out of Bihra
P.S. Case No. 212 of 2015, disclosing offences under Sections
147,148,149,341,323,302,504 of the Indian Penal Code.

From the First Information Report, it appears that there was
some dispute between the informant's side and the petitioner's side
and to resolve the dispute, a Panchayati was being held. It appears
that the parties clashed with each other. There are 19 persons
accused in the present First Information Report against whom there is
general and omnibus allegation of assaulting the father of the
informant leading to his death.

Learned counsel appearing on behalf of the petitioner has
submitted that for the same occurrence, one of the co-accused of the
case has lodged an FIR registered as Bihra P. S. Case No. 213 of

2015 for the offences punishable under Section 302 and other Sections of the Indian Penal Code for the death of one Nathuni Mian. It appears from the First Information Report that the occurrence took place over the land dispute between the parties and the allegation against the present petitioner is general and omnibus.

Considering the above, this application is allowed. Let the petitioner above-named in the event of his arrest/surrender within four weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa in Bihara P.S. Case no. 212 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal procedure.

This is subject to the condition that the petitioner present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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