

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17173 of 2016

Arising Out of PS.Case No. -454 Year- 2015 Thana -SAUR BAZAR District- SAHARSA

1. Shyam Yadav,
2. Raja Ram Yadav Both sons of Nirdhan Yadav,
3. Parveen Yadav @ Praveen Yadav Son of Manoj Yadav All are resident
of Village Rahua, PS Sour Bazar, District Saharsa.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Ashok Kumar Mishra, Advocate.

For the Opposite Party : Mr. Narsingh Tanti(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 17-05-2016 Heard both sides.

The petitioners apprehend their arrest in Sour Bazar P.S. Case No. 454 of 2015, registered for the offences punishable under Sections 147, 149, 341, 323, 324, 307, 427, 504 and 506 of the Indian Penal Code and under Sections 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The informant made allegation that Munni Devi and Manju Devi were harvesting paddy crops in his field. When the informant forbade, Munni Devi and Manju Devi assaulted the informant with sickle. It is alleged that the petitioners also came there and Shyam Yadav petitioner no. 1 is said to have assaulted Anmol Paswan the father of the informant. Raja Ram Yadav

petitioner no. 2 is alleged to have assaulted Arun Paswan the brother of the informant. There is no allegation of assault against petitioner no. 3 Parveen Yadav @ Praveen Yadav.

It is submitted that there is land dispute from before. The father of the informant has taken money from the petitioners for selling lands. The injury report of Anmol Paswan and Arun Paswan shows that they got injuries by hard and blunt object and not by sharp edged weapon.

Learned counsel for the informant however opposed the prayer for anticipatory bail.

It appears that on account of land dispute the occurrence took place. The petitioner no. 1 and 2 are alleged to have assaulted Anmol Paswan and his son Arun Paswan. Anmol Paswan got as many as three injuries which are lacerated and swelling, are simple in nature. Arun Paswan also got three injuries and opinion with regard to injuries no. 2 and 3 are kept reserved. On the face of injuries, it appears that the injuries are simple in nature.

Considering the facts aforesaid, the petitioners above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be

enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa in Sour Bazar P.S. Case No. 454 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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