

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.32256 of 2016

Arising Out of PS.Case No. -52 Year- 2016 Thana -NAWADA MUFFASIL District- NAWADA

1. Mallu Yadav son of Kuldeep Yadav  
2. Kamlesh Yadav son of Basudeo Yadav Both resident of village- Bhola Bigha, P.S.- Moffasil District- Nawada

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Sri Dilip Kumar

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI**  
**SHARAN SINGH**  
ORAL ORDER

2 26-08-2016 Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Mufassil Police Station Case No. 52 of 2016, disclosing offences under Sections 147/148/149/341/323/324/307/504 of the Indian Penal Code.

It is alleged that the petitioners were opposed to purchase of a piece of land, situated adjacent to their house, in their village. The petitioners and the informant are co-villagers. Allegedly, the petitioners, on the alleged date of occurrence, had assaulted the informant with lathi, danda and garasa.

Learned Counsel appearing on behalf of the



petitioners has submitted that there is counter version of the First Information Report on the basis of which Mufassil Police Station Case No. 60 of 2016 has been registered, lodged at the instance of Basudeo Yadav, a co-accused. He has submitted that it is mainly the civil dispute, which is the reason behind lodging of the false and concocted First Information Report.

Be that as it may, considering the nature of accusation as also the dispute between the parties, this application is allowed.

Let the petitioners, namely, Mallu Yadav and Kamlesh Yadav, in the event of their arrest or surrender before the Court below within six weeks, be released 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 learned Chief Judicial Magistrate, Nawada, in connection with Mufassil Police Station Case No. 52 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds

shall be liable to be cancelled.

**(Chakradhari Sharan Singh, J.)**

Prabhakar Anand/-

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