

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3388 of 2016

Arising Out of PS.Case No. -19 Year- 2015 Thana -DHIBRA District- AURANGABAD

- =====
1. Inderdeo Yadav Son of Rameshwar Yadav
 2. Rajdeo Yadav son of Rameshwar Yadav Both Resident of Village Tendua tole, Ganga Bigha, P.s Dhibra, District Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Leelawati Kumari

For the Opposite Party/s : Mr. Kanhaiya Kishore(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-01-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147,148,149,341,323,324,504,506,379,427 and 307 of the Indian Penal Code and section 27 of the Arms Act.

The prosecution case is that the FIR named accused persons including the petitioners came variously armed when the petitioners resorted to fire from rifle but it did not cause any injury. In the meantime, co accused Suryadeo Yadav assaulted with garasa on the head of the informant when Kailash Yadav, Raju Yadav, Saroj Yadav and Subedar Yadav came to rescue then the accused persons also assaulted them.

It is submitted by the learned counsel for the petitioners that in the background of land dispute the accusation has been levelled and admittedly no injury was caused by the alleged firing made by the petitioners though during investigation no evidence has been collected that actually firing was resorted to or not. There is counter version of the occurrence and Suryadeo Yadav has also received nine injuries. Co accused persons have been granted bail vide Cr. Misc. No. 55601 of 2015 by a co-ordinate bench of this Court. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, 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 twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Aurangabad in connection with Dhibra P.S. Case No.19 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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