

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58170 of 2015

Arising Out of PS.Case No. -261 Year- 2015 Thana -KAHALGAON District- BHAGALPUR

Kakku Yadav son of Vilash Yadav resident of village- Raghapur Police Station- Ghoga Distt- Purnia.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-03-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 149, 307 and 504 of the Indian Penal Code and 27 of the Arms Act.

Allegation against the petitioner is that he captured the land of the informant and used to cultivate it. When demand is made by showing papers by the informant that the land has been purchased by him, he (informant) was threatened to kill and vacate the land on the point of arms.

It is submitted on behalf of the petitioner that he has got no criminal antecedent. There is admitted land dispute between the parties. In course of occurrence no injury is said to have been caused to any person. Hence, no offence under Section 307 of the Indian Penal Code is made out.

On behalf of the State, it is submitted that petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of arrest or surrender in the court below within a period of six weeks, be released on bail on

furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of Sri Anwar Samim learned Judicial Magistrate, Ist Class, Bhagalpur, in connection with Kahalgaon (Ghogha) P.S. Case no. 261 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

sudip/-

U		T	
---	--	---	--