

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10068 of 2016

Arising Out of PS.Case No. -78 Year- 2015 Thana -CHANAN District- BANKA

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1. Sildhar Yadav s/o Teju Yadav,
 2. Tahlu Yadav @ Tahlu Manjhi S/o Teju Yadav
 3. Shambhu Kr. Yadav @ Shambhu Yadav s/o Sildhar Yadav, All resident of village- Manjhidi, P.S.- Chandan (Anandpur O.P.), District- Banka
 4. Ghanshyam Kumar Yadav @ Ghanshyam Yadav @ Supari Yadav, son of Basudeo Yadav, resident of village- Manjhlatila (Gaura), P.S.- Chandan (Anandpur O.P.), District- Banka

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Ambika Bhagat(Spl.App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 10-03-2016 Heard learned counsel for the petitioners and

learned counsel for the State.

Learned counsel for the petitioners seeks permission to withdraw the application with respect to petitioner nos. 1 and 2, namely, Sildhar Yadav and Tahlu Yadav alias Tahlu Manjhi.

Permission is accorded. Accordingly this application is dismissed as withdrawn with respect to petitioner nos. 1 and 2.

The petitioners seek anticipatory bail in Chandan (Anandpur O.P.) P.S. Case No.78 of 2015 instituted for the offences under Sections 341, 323, 324, 307, 504 and 506/34 of the Indian Penal Code and Sections 3(v), (iv), (x), (xi) of the

SC/ST Act and Section 27 of the Arms Act.

Allegation has been made that being a Sikmidar petitioners were cultivating the land. Allegation has been made that informant's side have objected tilling of the land whereupon the offending side assaulted them with lethal weapons such as Tangi and also resorted firing.

Learned counsel for the petitioners submits that there is a case and counter case from both sides. Petitioners have filed case earlier whereas informant has filed case later on. Petitioners have received grievous injuries whereas side of the informant has received minor injuries.

Looking to the nature of allegation, this Court is not inclined to enlarge petitioner nos. 3 and 4 on anticipatory bail. Accordingly the prayer for bail is rejected.

(Shivaji Pandey, J)

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