

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17701 of 2016

Arising Out of PS.Case No. -230 Year- 2015 Thana -ALOULI District- KHAGARIA

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1. Maheshwar Yadav
2. Ram Udgar Yadav. Both are sons of Late Nengru Yadav
3. Phulchand Yadav @ Phul Chandra Yadav, S/O Maheshwar Yadav
4. Dilip Yadav
5. Lalu Yadav
6. Sarad Yadav are sons of Ram Udgar Yadav. All are residents of Village-
Sanjhauti, Tola- Sondabhar, P.S.- Alauli, District- Khagaria. ... Petitioner/s
Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Subhas Singh, Advocate
For the Opposite Party/s : Mr. Jitendra Kr. Roy No.1, A.P.P.

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

3 29-06-2016 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out
of Alauli P.S. Case No. 230 of 2015, disclosing offences under
Sections 147, 341, 323, 379, 307, 427 and 504 of the Indian Penal
Code and Section 27 of the Arms Act.

From the First Information Report, it appears that the
allegation against the petitioners is of having opened blank firing
with their rifles, which they were having, and of assaulting the son
of the informant's wife by iron-rod. It is also alleged that they
raided the house of the informant and assaulted family members of
the informant.

Learned counsel for the petitioners has submitted that
land dispute is the apparent reason behind lodging of the First

Information Report with a concocted story. He has further submitted that no offence under Section 307 of the Indian Penal Code is made out, on the basis of allegations, contained in the First Information Report.

Considering the genesis of occurrence and nature of allegation made in the First Information Report, this application is allowed.

Let the petitioners, above-named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Alauli P.S. Case No. 230 of 2015, subject to the conditions as 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)

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