

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35558 of 2016

Arising Out of PS.Case No. -81 Year- 2016 Thana -AMARPUR District- BANKA

1. Subhash Chandra Yadav @ Subhash Yadav @ Subhash Chandra son of
late Upendra Yadav resident of Village/Mohalla- Koushalpur, P.S.-
Amarpur, Distt,- Banka

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad &
Mr. Swapnil Kumar Singh, Advocates
For the State : Mr. U.S. Prasad Singh-(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 31-08-2016 Heard learned counsel for the petitioner and the
State.

The petitioner is apprehending his arrest in a
case registered for the offences punishable under Sections
147, 146, 149, 324, 307, 452 of the Indian Penal Code
and 27 of the Arms Act.

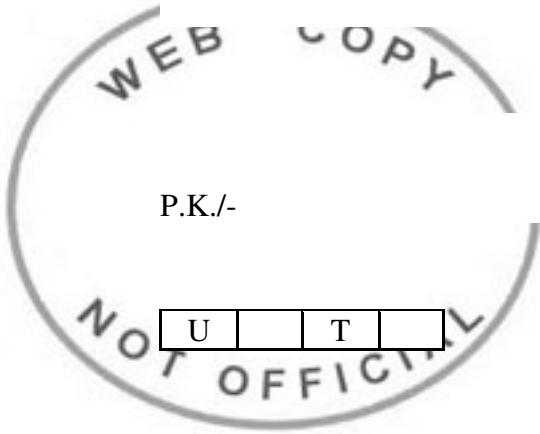
The prosecution case is that on 07.03.2016 at
12.30 A.M. the informant and his family members woke
up on the hue and cry made by the informant's mother
Hemlata Devi. When Hemlata Devi claimed to have
identified the accused persons, then Shashi Chaurasia
fired thereafter the accused escaped from the scene. The

petitioner was also identified by the mother of the informant.

It is submitted by the learned counsel for the petitioner that accusation has been levelled in the background of serious land dispute. The petitioner lodged Amarpur P.S. Case No. 81 of 2014 on 19.03.2014 against the informant and others for trespassing the land of the petitioner. It is further submitted that in paragraph-11 of the petition it has been mentioned that Bablu Chaurasia has filed Title Suit No. 18 of 2014, wherein the wife of the petitioner is defendant and in the said suit the petitioner's wife has entered appearance on 11.02.2014. Statement has been made in para-3 of the petition that petitioner has no criminal antecedent.

Considering the fact that specific accusation of firing is against co-accused Shashi Chaurasia, accusation has been levelled in the background of serious land dispute and statement has been made in para-3 of the petition that petitioner has no criminal antecedent, let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Amarpur P.S. Case No. 81 of 2016,

subject to conditions as laid down under Section 438(2) of the
Cr.P.C.



(Dinesh Kumar Singh, J)