

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24932 of 2016

Arising Out of PS.Case No. -776 Year- 2015 Thana -KHAGARIA District- KHAGARIA

1. Sunil Yadav @ Sunil Kumar Yadav Son of Shiv Nandan Yadav
Resident of village - Mathar, P.S. Muffasil, District - Khagaria
2. Bilash Yadav Son of Suresh Yadav
3. Dhananjay Yadav Son of Suresh Yadav
4. Munna Yadav Son of Bilash Yadav All 2 to 4 resident of village -
Barkhandi Tola, P.S. Muffasil, District - Khagaria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar

For the Opposite Party/s : Mr. Shailendra Kumar 2 (App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

3 15-07-2016 A supplementary affidavit has been filed on behalf of the petitioners, annexing therein the certified copy of the First Information Report of Khagaria (Muffasil) Police Station Case No. 776 of 2015.

Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Khagaria (Muffasil) Police Station Case No. 776 of 2015, disclosing offence under Sections 341/323/447/379/384/34 of the Indian Penal Code.

From the First Information Report, it is evident that there is land dispute between the petitioners and the

informant.

Learned Counsel appearing on behalf of the petitioners has rightly pointed out that there is allegation of assaulting the informant by butt of the rifle, which, according to him, makes it clear that no offence under Section 307 of the Indian Penal Code is made out. It has also been submitted that the First Information Report has been lodged to take vengeance.

Considering the above submission, this application is allowed.

Let the petitioners, namely, Sunil Yadav @ Sunil Kumar, Bilash Yadav, Dhananjay Yadav and Munna Yadav, 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/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria, in connection with Khagaria (Muffasil) Police Station Case No. 776 of 2015, subject to the condition 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.

Prabhakar Anand/-

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(Chakradhari Sharan Singh, J.)