

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10320 of 2017

Arising Out of PS.Case No. -117 Year- 2016 Thana -KISHUNPUR District- SUPAUL

- =====
1. Maheshweri Yadav, Son of Late Bhattan Yadav.
 2. Yugeshwar Yadav, Son of Late Bhattan Yadav.
- Both Resident of Village- Tharbitta, P.S.- Kishanpur, District- Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

7 06-07-2017 Let the supplementary affidavit filed on behalf of the petitioners be kept on the record.

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Kishanpur P.S. Case No.117 of 2016 registered under Sections 147, 149, 341, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code, pending in the court of the Chief Judicial Magistrate, Supaul.

The accusation is that on 17.05.2016 in the morning at about 07.00 A.M., at the instance of Umesh Yadav, the petitioners alongwith others, named in the F.I.R., started to construct the



house over the land of the informant Bachneshwar Yadav. When Sudhanshu Kumar, the son of the informant, made protest, then he was abused and assaulted by them through fists, slaps and lathi. In the meantime, when Laddu Lal Yadav, the villager of the informant, came there and tried to pacify the matter, then Umesh Yadav asked the petitioners and their brother Guneshwar Yadav as to why he has come and ordered them to kill Laddu Lal Yadav. Thereafter, they and their sons caused injury to Laddu Lal Yadav and Pappu Kumar Yadav through Farsa and Dabiya. Both were taken for treatment by the Officer Incharge and other police officials to the hospital from where they were referred to D.M.C.H., Laheriasarai and their treatment is going on.

Learned counsel appearing on behalf of the petitioners submits that due to land dispute, the occurrence of “Maar-Peet” took place between the parties in which the petitioners’ side also sustained injury.

Having considered the facts and the circumstances of the case and the nature of allegation, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, the prayer of the petitioners for grant of anticipatory bail stands rejected. However, the petitioners are directed to surrender before the trial court within four weeks from today and pray for regular bail, which



shall be considered by the trial court in accordance with law
without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

P.S./-

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

