

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61872 of 2017

Arising Out of PS.Case No. -88 Year- 2017 Thana -PURAINI District- MADHEPURA

- =====
1. Lattur Yadav, S/o Late Upendra Yadav,
 2. Singh Jee Yadav, S/o Late Upendra Yadav, Both R/o Village- Karma,
P.S.- Puraini, District- Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Sri Anant Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 21-12-2017

Heard learned counsel for the petitioners

and learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506, 427, 379/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, as per the informant, is that on 21.07.2017 at 5.00 P.M. when the informant went to watch his Moong and Kharhi crops, he found his crops were being grazed by cows and buffaloes belonging to the petitioners and others. On protest being made, co-accused Bijendra Yadav resorted to firing by country-made pistol but it did not hit the



informant. It is further alleged that crops worth Rs.8,000/- were grazed by the cattle of the accused persons. Co-accused Amar Yadav caught hold of the informant and co-accused Prem Yadav snatched gold ring worth Rs.15,000/- from the informant and petitioner no. 1 snatched Titan watch worth Rs.1800/- and petitioner no. 2 picked out cash of Rs.2,000/- from the pocket of the informant.

It is submitted by learned counsel for the petitioners that the accusation of firing is not alleged against the petitioners. So far as grazing of crops is concerned, it is omnibus and general. For the occurrence of 21.07.2017 the FIR has been registered on 25.07.2017. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Considering the fact that the accusation of firing has not been levelled against the petitioners, delayed lodging of the case coupled with the statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of 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) each



with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Uda Kishunganj, Madhepura in connection with Puraini P.S. Case No. 88 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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