

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38236 of 2017

Arising Out of PS.Case No. -66 Year- 2017 Thana -VIJAYPUR District- GOPALGANJ

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1. Ram Chandra Yadav, Son of Khadu Yadav,
2. Mannu Yadav, Son of Ram Chandra Yadav, Both are R/o Village-
Suaraha, P.S.- Vijaipur, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhramveer, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 18-08-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners apprehend their arrest in connection with
Vijaypur P.S. Case No. 66 of 2017 registered for the offences
punishable under Sections 341, 323, 324, 504, 307/34 of the IPC.

It has been submitted that there is a case and counter case
between the parties. An altercation took place on account of land
dispute for which the petitioner no. 1 has filed a counter case as
Vijaypur P.S. Case No. 65 of 2017 against the informant and his
family members. The injury report of this case shows that the
petitioner no. 1 sustained as many as six injuries. The informant of
this case, however, sustained simple injury. Hence, no case under
Section 307 of the IPC is made out.



Learned Additional Public Prosecutor opposed the aforesaid submission.

On perusal of the FIR, it appears that there is a case and counter case between the parties. The petitioner no. 1 is the informant of Vijaypur P.S. Case No. 65 of 2017 in which the petitioner no. 1 has sustained six injuries and the accused persons allowed anticipatory bail on 26.07.2017 passed in Cr. Misc. No. 34593 of 2017 by the Bench of this Court.

Considering the facts and circumstances, as stated above, this application is allowed.

Let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IV, Gopalganj in connection with Vijaypur P.S. Case No. 66 of 2017, subject to the condition as laid down under Section 438 (2) of the Criminal Procedure Code.

(Sanjay Kumar, J)

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