

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52969 of 2017

Arising Out of PS.Case No. -258 Year- 2017 Thana -BRAHMPUR District- BUXAR

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1. Janardhan Yadav, Son of Late Shiv Janam Yadav,
2. Pintu Yadav, Son of Sarju Yadav,
3. Barmeshwar Yadav, Son of Late Ram Chandra Yadav,
4. Lal Babu Yadav, Son of Late Chhote Lal Yadav,
5. Birendra Yadav, Son of Late Shiv Janam Yadav,
6. Bholu Yadav, Son of Late Ram Chandra Yadav, All resident of Village-
Brahampur, P.S.- Brahampur, District- Buxar, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudha Chandra
For the State : Mr. Gauri Shankar Gupta, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 04-12-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Brahampur P.S. Case No. 258 of 2017 instituted for the offence under Sections-325, 307 & other minor Sections of the Indian Penal Code.

It has been submitted that petitioners are in possession of the land and the informant parties are aggressors. It has further been submitted that petitioner No. 1 filed T.S. No. 271/43 of 2015 in the court of Munsif-Ist, Dumraron, in which, the informant, Rajendra Yadav has appeared.

It has further been submitted that for the same date of occurrence, the petitioner No. 1 has filed a case vide Brahampur P.S. Case No. 257 of 2017 against the informant and others in which,



petitioner No. 1 sustained injury.

The injury sustained by petitioners' side have been annexed as Annexure-4 series in the occurrence caused by the informant.

The injury report of the instant case has been filed as annexure-5 series from which, it appears that all the injuries on the person of injured have been found to be simple in nature. The doctor has opined one injury on the person of the informant to be dangerous to life but it is mentioned that all the injuries have been caused by hard and blunt substance. There is case and counter case between the parties. Both sides received injuries. There is land dispute between the parties.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Brahmpur P.S. Case No. 258 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Buxar subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioners and (3) if petitioners



tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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