

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61458 of 2017

Arising Out of PS. Case No.-53 Year-2017 Thana- MAKHDUMPUR District- Jehanabad

Deepak Yadav S/o Baliram Yadav, R/o Village- Ajay nagar (Chhatiyana), P.S.-
Makhdumpur, Distt.- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Paras Nath

For the Opposite Party/s : Mr. SRI SHAILENDRA KUMAR -2

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-12-2017 Heard learned counsel for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under sections 448,323 and 307/34 of the IPC.

The prosecution case is that on 18.3.2017 at about 12.00 hours, the petitioner alongwith co-accused Sumer Yadav and Vikash Yadav and his father Baliram Yadav, started constructing house over the land of the informant. On protest being made, the petitioner and co-accused Vikash Yadav assaulted with brick, causing head injury to the informant who fell down. Co-accused Baliram Yadav assaulted the father of the informant with fists and slaps whereas co-accused Sumer Yadav and Chanrajit Yadav pushed on the stone chips.

It is submitted by learned counsel for the petitioner that



the accusation has been levelled in the background of land dispute. The impugned order suggests that the injury has been found to be simple in nature. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the accusation of assault is general and omnibus.

Considering the accusation in the background of land dispute coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Jehanabad in connection with Makhdumpur P.S. Case No.53 of 2017.

(Dinesh Kumar Singh, J)

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