

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16797 of 2017

Arising Out of PS.Case No. -66 Year- 2016 Thana -BARBIGHA District- SEKHPURA

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1. Shivalak Yadav, Son of Late Baleshwar Yadav,
2. Rambalak Yadav, Son of Late Baleshwar Yadav.
3. Indradeo Yadav, Son of Baleshwar Yadav. All Resident of Village-
Musapur, Police Station- Barbigha, (Keoti), District- Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-04-2017 Heard the parties.

The petitioners are apprehending their arrest in connection with Barbigha (Keoti O.P.) P.S.Case No.66 of 2016 registered for offences punishable under Sections 447, 448, 147, 148, 149, 323, 307, 354, 337, 338, 504, 506 and 379 of the Indian Penal Code.

Allegation against the petitioners are about assault. Petitioner no.1 & 2 have assaulted by 'lathi, and petitioner no.3 has assaulted by the 'But' portion of the Pistol, however, it is submitted on behalf of the petitioners that there is case and counter case between the parties and the injuries are simple in nature as well as there is land dispute between the parties from before.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances as stated above as well as the fact that there is case and counter case between the parties and injuries are simple in nature, 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.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction A.C.J.M.-II, Sheikhpura in connection with Barbigha (Keoti O.P.) P.S.Case No.66 of 2016, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the police, otherwise, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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