

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6508 of 2018

Arising Out of PS.Case No. -94 Year- 2017 Thana -BARH District- PATNA

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Dharamveer Rai @ Dharamveer Yadav, Son of Brahmdeo Rai, resident of
Village- Bhatgaon, Police Station- Barh, District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. Smt. Pushpa Sinha

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

02/ 02-02-2018

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 341,
323, 324, 307/34 of the Indian Penal Code and Section 27 of the
Arms Act.

The prosecution case as per the written
report of Durga Rai submitted to Station House Officer of Barh
Police Station on 21.04.2017 is to the effect that on 21.04.2017
at about 8.00 A.M. Rabindra Rai, petitioner Dharamveer Rai,
Sunil Rai and Bijendra Rai were ploughing the land of the
informant. On protest being made, they assaulted the informant,
when Radhika Devi, the daughter-in-law of the informant came



to rescue then she was also assaulted by Bijendra Rai. It is alleged that Rabindra Rai also resorted to fire in the air.

It is submitted by learned counsel for the petitioner that in the background of land dispute the accusation has been levelled. The accusation is omnibus and general. The injury has been found to be simple in nature. The impugned order reflects that in spite of repeated order the case-diary was not produced before the learned Court below. Considering the nature of accusation co-accused Sunil Rai and Bijendra Rai have been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 09.11.2017 passed in Cr. Misc. No. 50871 of 2017. The same has been brought on record as Annexure-2. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Considering the accusation being omnibus and general against four persons in the background of land dispute and the injury has been found to be simple in nature, let the above named petitioner 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) with two sureties of the like amount each to the satisfaction of learned Additional Chief



Judicial Magistrate, Barh in connection with Barh P.S. Case No.
94 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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