

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6637 of 2018

Arising Out of PS.Case No. -170 Year- 2017 Thana -ARIYARI District- SEKHPURA

- =====
1. Sakindra Yadav, S/o Baldev Yadav,
 2. Sandip Yadav @ Sandip Kumar Yadav, Sandip Yadav S/o Sakindra Yadav, Both are R/o Village- Janglibigha, P.S.- Ariari, District-Sheikhpura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Kumar

For the Opposite Party/s : Mr. Sri Satyendra Narayan Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 06-02-2018

Learned counsel for the petitioners submits

that petitioner no. 1, Sakindra Yadav has already been arrested, hence, his application has become infructuous and accordingly, it is disposed of.

The petitioner no. 2 is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 307 and 504/34 of the Indian Penal Code.

The prosecution case as per the written report of Rima Devi submitted to the Station House Officer of Ariyari Police Station is to the effect that on 20.10.2017 at 7.00 A.M. the drainage of the informant was blocked by the accused persons. The informant protested with regard to blocking of the



drainage, upon which co-accused Sakindra Yadav started abusing the informant. In the meantime, petitioner no. 2 Sandip Yadav, co-accused Sakindra Yadav, Sanju Devi and Sangita Devi came variously armed with lathi, brick, danda, stone and rod and on the order of co-accused Sakindra Yadav, the accused persons including petitioner no. 2 Sandip Yadav assaulted the informant with lathi and danda, as a result, she received fracture injury on her head.

It is submitted by learned counsel for the petitioner that in the background of land dispute the accusation has been levelled. There is a counter version of the occurrence being Ariyari (Kasar) P.S. Case No. 171 of 2017 with accusation under Sections 341, 323, 307 and 504/34 of the Indian Penal Code. Petitioner no. 2 is accused in one other case in which application for anticipatory bail is pending before this Court.

Considering the nature of accusation being omnibus and general, counter version of the occurrence and the injury has been found to be simple in nature, let the above named petitioners 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 Chief Judicial Magistrate, Sheikhpura in connection with Ariyari (Kasar) P.S. Case No. 170 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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