

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27138 of 2018

Arising Out of PS. Case No.-119 Year-2017 Thana- RAJAUN District- Banka

Basuki Yadav, S/o- Saramdeo Yadav, R/o Vill.- Chuthiya, P.S.- Rajoun,
District- Banka.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-05-2018 Heard learned counsels for the petitioner and State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 308, 504 and 34 of the IPC.

The prosecution case, as per the written report of Barun Yadav dated 09.04.2017 submitted to the Station House Office, Rajaun Police Station, is to the effect that on 09.04.2017 at about 7 A.M., seven accused persons including the petitioner entered into the house of the informant armed with Lathi, Danta and Dhabiya, whereupon the petitioner Basuki Yadav and co-accused Nitesh Yadav assaulted with dabiya causing injury on the head of the informant. Co-accused Manju Devi and Nisha Kumari assaulted the wife of the informant and dragged her and they also snatched her ear ring. It is alleged that petitioner



Basuki Yadav on assurance to transfer some land in favour of the informant, took Rs. 50000/- but he neither returned the money nor transfer the land and on demand being made he started abusing the informant.

It is submitted by the learned counsel for the petitioner that in the background of the land dispute the accusation has been levelled. The accusation against the petitioner is to have made assault by sharp cutting weapon but the injury has been found simple caused by hard and blunt substance. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that there is a specific accusation against the petitioner.

Considering the genesis of the occurrence, being a dispute with regard to transfer of land and the injury being found simple in nature, coupled with statement made in paragraph no. 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/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 like amount each to the



satisfaction of learned C.J.M. Banka in connection with Rajaun
P.S. Case No. 119 of 2017 subject to the condition as laid down
under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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