

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.63265 of 2017

Arising Out of PS.Case No. -38 Year- 2017 Thana -UPHARA District- AURANGABAD

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1. Arun Yadav, Son of Ramdeo Yadav,
2. Nitish Yadav, Son of Arun Yadav,
3. Baljeet Yadav, Son of Umesh Yadav,
4. Vinay Yadav, Son of Geman Yadav,
5. Mohan Yadav, Son of Ram Prasad Yadav,
6. Vikash Yadav, Son of Bed Narayan Yadav,
7. Anil Yadav, Son of Chandradeo Yadav,
8. Fatteh Yadav @ Fatteh Singh Yadav, Son of Parat Yadav,
9. Raj Kumar Yadav, Son of Lala Yadav,
10. Krishna Yadav, Son of Ram Bali Yadav,
11. Pramod Yadav, Son of Parash Yadav,
12. Pundeo Yadav, Son of Hari Yadav, All residents of Village- Bhaluar,
P.S.- Uphara, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha

For the Opposite Party/s : Mr. Anish Chandra

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-01-2018 Heard the learned counsel for the petitioners and the

learned APP for the State.

This is an application for grant of anticipatory bail in connection with Uphara P.S. Case No. 38 of 2017 registered for the offence punishable under Sections 147, 148, 149, 323, 307 and 353 of the Indian Penal Code and Section 27 of the Arms Act.

The case of the prosecution is that on account of dispute regarding irrigation, the villagers of two villages were at loggerhead and when the Police came and tried to disperse the villagers, the villagers of one side started pelting stones resulting



in many villagers being inflicted with injuries in the present case.

The learned counsel for the petitioners submits that the allegations are general and omnibus in nature, the allegation of pelting of stones from the side of the petitioners herein is not correct and for the same occurrence there is case and counter case. It is further submitted that the petitioners have a clean antecedent barring the case lodged by the other side pertaining to the same occurrence.

Having regard to the facts and circumstances of the case, I deem it fit and appropriate to enlarge the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned SDJM, Daudnagar, Aurangabad in connection with Uphara P.S. Case No. 38 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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