

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52585 of 2018

Arising Out of PS. Case No.-26 Year-2018 Thana- BANDHUWA KURAWA District- Banka

1. Dulo Yadav, S/o Rasik Yadav,
2. Kumod Yadav, S/o Dulo Yadav, Both resident of Village-Kharoni, Police Station- Bandhuwa Kurawa, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Sri Ramchandra Sahani

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-09-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 307, 504, 337/34 of the Indian Penal Code.

The prosecution case, in short, is that when the informant went to see his field, he saw that cattles were grazing his fields. On protest, the accused persons including the petitioners surrounded and assaulted him with lathi and also brick batting in which his son and nephew also got injured.

It has been submitted on behalf of the petitioners that there is no allegation of tampering of witnesses alleged against the petitioners. There is a case and counter case between the



parties. The petitioners are the neighbours of the informant. The alleged occurrence is said to have taken place due to land dispute between the parties. The nature of injury is said to be simple. Hence, no offence under Section 307 IPC is made out.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. -III, Banka in connection with Bandhuwa Kurawa P.S. Case No. 26/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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