

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69128 of 2018

Arising Out of PS. Case No.-68 Year-2018 Thana- KURTHA District- Jehanabad

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1. Naresh Yadav, S/o Late Ram Prasad Yadav,
 2. Malti Devi, W/o Ram Janam Yadav, Both resident of Village-
Pinjarama Tola Daru Par, P.S. Kurtha, District- Arwal.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Ashok Kumar, Advocate.
For the Opposite Party : Mr. Pranav Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-11-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 341, 323, 504, 307 and
379/34 of the IPC.

The prosecution story, in brief, is that on 07.08.2018
at about 11 P.M. the elder brother of informant was founding
stone for erecting house in the share. In the meantime, all the
accused persons came there and forbade not to erect the wall.
The informant told that the piece of land was given in his share.
In the meantime, all the accused persons began to assault with



Lathi, Danda and Khanti. He sustained injury. He raised alarm then his brother Awadhesh Yadav came for rescue then all the accused persons also abused and assaulted him and Malti Devi taken Rs. 2,000/- from his pocket.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. The petitioners have falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. It is case and counter case between the parties. Free fight is alleged to have taken place between the parties due to land dispute. Nature of injury is said to be simple. No offence under Section 307 of the IPC is made out. Rests of the offences are triable by the Magistrate.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or 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 the learned C.J.M. Arwal, in connection with Kurtha P.S. Case No. 68 of 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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