

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72186 of 2018

Arising Out of PS. Case No.-199 Year-2018 Thana- DELHA District- Gaya

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1. Vijay Yadav. S/O Late Ganga Yadav.
 2. Dindayal Yadav, S/O Vijay Yadav. Both are residents of Village- Kalyanpur, P.S. Delha, District-Gaya.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mrs. Leelawati Kumari, Advocate.
For the Opposite Party : Mr. Anil Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-12-2018 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, 387, 307, 379, 504, 506/34 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that on 19.08.2018 the informant was getting a boundary wall constructed on his land. It is alleged that at 12.50 hours, five persons including the petitioners came and ordered him that if he wants to get the boundary wall erected then he has to pay rupees one lac as *Rangdari* to them, and if not paid they will not allow him to get the house constructed. When he questioned that why he should pay *Rangdari* then the accused persons abused him and



petitioner no. 1 Vijay Yadav fired upon him but he escaped. Petitioner no. 2 Din Dayal assaulted the informant with *Lathi* and other accused persons also attacked him and injured him badly. Further it is alleged that a gold chain and rupees eight thousand was also snatched by petitioner no. 1 Vijay Yadav.

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. Both sides are said to have injured in course of occurrence. Injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands.

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 A.C.J.M.-



VII, Gaya, in connection with Delha P.S. Case No. 199 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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