

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10443 of 2018

Arising Out of PS. Case No.-253 Year-2017 Thana- BALIA District- Begusarai

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1. Rambalak Prasad Yadav @ Rambalak Yadav, S/o Kapildeo Prasad Yadav @ Kapildeo Yadav,
 2. Chhotelal Prasad Yadav @ Chhotelal Yadav S/o Arjun Yadav @ Arjun Jadav, Both R/o Village- Husainichak, P.S.- Ballia, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam
For the Opposite Party/s : Mr. SRI BISHESHWAR RAM

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 23-02-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in Ballia P.S. case no. 253 of 2017 instituted for the offence under Section(s) 447,341,323,504,506,387,307,380 and 354/34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioners has submitted that it is a case of purely land dispute. The accused persons have given Rs. 19,30,000/- on different date to the informant for purchasing the land but the informant refused to execute the sale deed for which Ballia P.S. case no. 359 of 2017 was lodged by Renu Devi wife of Umesh Yadav, one of the accused in this



case. The present case has been filed only to save the skin from the earlier case.

In the instant case there is general and omnibus allegation against all these petitioners. The informant has alleged that informant has sustained injury due to assault .

Learned counsel for the petitioner has pointed out Annexure-4 to the supplementary affidavit which is the prescription of a private doctor with respect to the injury sustained by the informant wherein no any specific injury has been found on her person.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Ballia P.S. case no. 253 of 2017, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the C.J. M. Begusarai, subject to the conditions as laid down under Section 438(2) Cr. P.C. with further conditions:(1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date



fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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