

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37857 of 2018

Arising Out of PS.Case No. -268 Year- 2017 Thana -BIHRA District- SAHARSA

- =====
1. Surendra Yadav, S/o Late Dhanichandra Yadav,
 2. Chhabbu Yadav S/o Late Ravi Yadav, Both R/o Vill.- Belahi, P.S.- Bihra, District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Amarnath Jha

For the Opposite Party/s : Mr. Sri Sanjay Kumar Pandey

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 04-07-2018

Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 325, 427, 435 and 504 of the Indian Penal Code.

The prosecution case as per the written report of Ganesh Yadav submitted to the Station House Officer, Bihra P.S. is to the effect that on 23.11.2017 at 6.00 A.M. six accused persons including the petitioners came at the door of the informant and on the order of co-accused Bindeshwari Yaav, co-accused Pramod Yadav assaulted with Farsa causing cut injury



on the head of the informant. Co-accused Kari Yadav, Akhilesh Yadav and Pradip Yadav caused fracture injury on the hand of Gosai Yadav. Accused persons put the house of Amin on fire causing loss of Rs. One lac. It is alleged that co-accused Pappu Yadav and Sanjeev Yadav gave life threatening and a tractor was also put on fire. It is alleged that petitioner no. 1 caused injury on the head of Munna Yadav with brick. Bilas Yadav caused bleeding injury on the head of Santosh Yadav.

It is submitted by learned counsel for the petitioners that in the background of land dispute the accusation has been levelled. Munna Yadav received two injuries, one lacerated wound skin deep on the side of skull and one bruise on left forearm but both the injuries have been found to be simple in nature caused by hard and blunt substance. There is a counter version of the occurrence being Bihra P.S. Case No. 269 of 2017. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP, however, submits that the petitioners are named in the FIR.

Considering the fact that there is no specific accusation of assault against petitioner no. 2, however, injury caused by petitioner no. 1 has been found simple in nature, let the



above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Bihra P.S. Case No. 268 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

DKS/-

U		T	
---	--	---	--

