

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20394 of 2018

Arising Out of PS.Case No. -644 Year- 2017 Thana -ARA NAGAR District- BHOJPUR

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Krishna Yadav, s/o late Jairam Yadav, R/o Mohalla- Sarangpur, P.S.- Ara
Muffasil, District- Bhojpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Nath Sinha, Advocate.

For the informant : Mr. Manoj Kumar, Advocate.

Mr. Raj Narayan Mishra, Advocate

For the Opposite Party/s : Mr. Mritunjaya Kr. Gautam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 21-06-2018 Heard learned counsel for the petitioner, learned
counsel for the informant and the State.

The petitioner apprehends his arrest in **Ara Town**
P.S. Case No. 644 of 2017 instituted for the offence under
Sections 341, 323, 447, 307, 379, 427, 504/34 of the Indian Penal
Code, Sections 25(1-b)a, 26 and 35 of the Arms Act

Learned counsel for the petitioner has submitted that
there is land dispute between the parties. Title Suit No. 591 of
2016 was brought by Uma Shankar Yadav against Chandra Yadav
and others which is sub-judice in the court of learned Sub Judge-
1st, Ara, Bhojpur. It has further been submitted that there is case
and counter case between the parties. Earlier Case was instituted



by Ram Iswar Yadav vide Ara Twon P.S. Case No. 645 of 2017 dated 12.12.2017 against the informant and others. It has further been submitted that in the counter case filed by Ram Iswar Yadav there is mention that Rahul, son of the informant, has sustained injury on account of brick thrown by Kushum Devi wife of Chandrama Yadav and Nitu Devi wife of Kaushal @ Pritam.

Learned counsel for the informant has appeared and opposed the prayer for anticipatory bail of the petitioner.

In the instant case there is allegation against the petitioner that he assaulted the son of the informant namely, Rahul on his head.

Case diary has been received.

The learned A.P.P. after perusing the case diary has submitted that injury report of the son of the informant namely, Rahul is available in the case diary wherein the Doctor has found only one lacerated wound on the scalp measuring 6 cm x 1 cm.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Ara Town P.S. Case No. 644 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the



like amount each to the satisfaction of learned **Chief Judicial Magistrate, Ara, Bhojpur**, 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) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers 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 petitioner.

(Sanjay Priya, J)

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