

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9910 of 2018

Arising Out of PS. Case No.-165 Year-2017 Thana- BIHARIGANJ District- Madhepura

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1. Bechan Yadav, S/o Late Anup Yadav@ Late Anuplal Yadav.
 2. Ramesh Yadav, S/o Late Anup Yadav@ Late Anuplal Yadav.
 3. Dinesh Yadav, S/o Late Anup Yadav @ Late Anuplal Yadav. All R/o village- Rahijagatpur Ward No. 14, P.S. Bihariganj, District- Madhepura.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Advocate

For the Opposite Party/s : Mr. Dr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

20-02-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Bihariganj P.S. Case No. 165 of 2017 instituted for the offence under Sections 323,341, 354(A),307,504,506/34 of the IPC.

Learned counsel for the petitioners has submitted that the occurrence took place on account of land dispute. In the written report, it is alleged that the petitioners and other accused persons armed with lathi, danda and iron rod, came on the land of the informant and assaulted him and his family members. It is alleged that petitioner no. 3, Dinesh Yadav assaulted with the butt of gun on the head of informant, which caused fracture on his hand. It is further alleged that they snatched articles from possession of family members of the informant. The injury report of the informant has been enclosed as Annexure-2 to this petition, wherein, doctor has opined that except one injury sustained by the informant all the injuries on the person of



injured are simple in nature.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners, named above, in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Bihariganj P.S. Case No. 165 of 2017 to the satisfaction of the learned Judicial Magistrate Ist Class, Uda-Kishunganj, Madhepura, subject to condition as laid down u/S 438 (2) of the Cr. P.C. with further conditions (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 dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioners and (3) if the petitioners 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 petitioners.

(Sanjay Priya, J)

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