

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6273 of 2018

Arising Out of PS. Case No.-148 Year-2015 Thana- KISHUNPUR District- Supaul

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Bhumi Yadav @ Bhuneshwar Yadav, Son of Late Ramfal Yadav, Resident of
Village- Bhattohar, Police Station- Kishanpur, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun, Adv.

For the Opposite Party/s : Mr. J. N. Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 01-02-2018 Heard learned Counsels for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 341, 323, 379 and
411/34 of the Indian Penal Code.

The prosecution case got initiated on the basis of written
report dated 18.09.2015 submitted by Sukhdeo Chaudhary to the
Station House Officer, Kishanpur Police Station, to the effect
that on 02.09.2015, in the night the Sisham tree belonging to
him was cut by the petitioner Bhumi Yadav and co-accused
Suresh Yadav, Kishori Chaudhary, but the informant came to
know about the incident on 18.09.2015, then he went to the saw



mill and found that the petitioner and another co-accused persons were getting the logs cut on the saw mill.

It is submitted by learned counsel for the petitioner that the informant is the neighbour of the petitioner and he is on inimical term with him from before. The petitioner is accused in two other cases of similar nature, but in both the cases he is on bail. It is further submitted that co-accused Suresh Yadav and Kishori Choudhary have been granted anticipatory bail by a co-ordinate Bench of this Court vide Criminal Miscellaneous No.42401 of 2017. Moreover, there is no recovery from the petitioner, hence, no case under Section 379 of the I.P.C. is made out.

It is submitted by Mr. J. N. Thakur, learned APP for the State that there is specific accusation against the petitioner.

Considering the nature of accusation and the fact that co-accused have been granted privilege of anticipatory bail by a co-ordinate bench of this Court, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Supaul, in connection with Kishanpur P.S. Case No.148 of 2015, subject to the conditions



as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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