

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34851 of 2018

Arising Out of PS. Case No.-201 Year-2017 Thana- CHANDAN District- Banka

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1. Binod Yadav, S/o Late Lalu Yadav,
 2. Ashok Yadav, S/o Jiblal Yadav,
 3. Jiblal Yadav, S/o Late Doman Yadav,
 4. Samariya Devi, W/o Jilblal Yadav,
- All residents of Village- Dhanochhi, P.O.& Police Station-
Chandan, District- Banka.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Adv.
For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 02-07-2018 Heard Sri Ajay Mukherjee, learned counsel for the
petitioners and learned Addl. Public Prosecutor.

Four petitioners, apprehending their arrest in Chandan
(Anandpur) P.S. Case No.201 of 2017 registered for the offence
under Sections 341, 323, 308, 307, 504/34 of the Indian Penal
Code, have prayed for grant of bail, in the event of their arrest
or surrender.

Learned counsel for the petitioners submits that in a
land dispute , which is evident from the F.I.R., almost all the
family members of the petitioners have been made accused,
even petitioner no.4, who is a lady, has also been arrayed as
accused in the present case. It has been alleged that in the



occurrence, she had given lathi blow on the wife of the informant. It has been argued that injury report does not support the prosecution case since injuries caused on the informant side were considered as simple in nature. It has been argued that on perusal of the injury report, it is evident that there was no application of either Section 308 or 307 of the Indian Penal Code.

Be that as it may, considering the nature of accusation as well as the fact that there was land dispute in between the parties, in the event of their arrest or surrender within a period of six weeks from today, let the aforesaid four petitioners, namely,(i) Binod Yadav (ii) Ashok Yadav (iii) Jiblal Yadav and (iv) Samariya Devi be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Chandan P.S. Case No.201 of 2017, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

nawalkrs/-

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