

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.39389 of 2018**

Arising Out of PS.Case No. -46 Year- 2018 Thana -BACHWARA District- BEGUSARAI

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Surendra Yadav @ Lalo Yadav @ Surendra Kumar Yadav, Son of Late Sagar Yadav, Resident of Chhkariya, Police Station- Bachhawara, District- Begusarai.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Md. Fahimuddin

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

02/ 09-07-2018

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 143, 447, 341, 323, 307, 354B, 427 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case as per the written report of Chandrashekhar Yadav dated 14.03.2018 submitted to the Station House Officer, Bachhawara P.S., is to the effect that on 14.03.2018 at 9.30 P.M., the petitioner, Surendra Yadav and other co-accused persons Munnilal Yadav, Amit Yadav, Prabhat Yadav, Pintu Yadav, Chintu Yadav and 6-7 unknown persons were robbing the mustard crop from the agricultural land of the informant. On information received, the son of the informant, Vikash Yadav, nephew Sanjay Yadav and wife Sudama Devi



went to the agricultural land and found that the accused persons were cutting the mustard crop. On protest being made, the petitioner and co-accused Amit Yadav resorted to fire but it could not hit the informant and consequently the informant fell down. In the meantime, the petitioner and co-accused Amit Yadav pushed down the wife of the informant and disrobed her after catching hold of her hair and assaulted her. On alarm being raised, when the villagers came then the accused persons escaped from the scene with a bundle of the cut mustard crop.

It is submitted by learned counsel for the petitioner that for the alleged occurrence of 14.03.2018, the FIR was registered on 16.03.2018 and, in fact, in the background of land dispute, the accusation has been levelled against the petitioner. No injury was caused to anyone. It has further been stated that during proceeding under Section 144 of the Cr.P.C., possession of the petitioner has been found by the Police authority on the land in question. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Considering the accusation levelled in the background of land dispute, delayed lodging of the FIR coupled with the statement made in paragraph 3 of the petition that the



petitioner is not having any criminal antecedent, 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 twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Judge –VII –cum- A.C.J.M.-VI, Begusarai in connection with Bachhawara P.S. Case No. 46 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Dinesh Kumar Singh, J)**

DKS/-

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