

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39307 of 2018

Arising Out of PS. Case No.-453 Year-2017 Thana- PARWATTA District- Khagaria

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1. Arjun Yadav, S/o Late Maheshwari Yadav,
 2. Anil Yadav @ Bipin Yadav, S/o Late Maheshwari Yadav,
 3. Sunil Yadav, S/o Late Maheshwari Yadav,
 4. Mittu Yadav @ Abhijeet Yadav @ Mithu Yadav, S/o Arjun Yadav,
All R/o Vill.- Lagar, P.S.- Parbatta, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Adv.
For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-07-2018 Heard learned Counsels for the petitioners and learned APP
for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 323, 341, 379/34, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case got initiated on the basis of written report dated 15.12.2017 submitted by Lalo Yadav to the Station House Officer, Parbatta Police Station is to the effect that on 15.12.2017 at 6.00 A.M., the informant was going to his agricultural land, in the meantime, petitioner no.1, Arjun Yadav called the informant and abused him. Petitioner no.2, Bipin



Yadav assaulted the informant with lathi on the left arm and snatched a gold locket and cash of Rs.3500/-. When the informant tried to escape from the scene, on the order of petitioner no.1, Arjun Yadav, petitioner no.4, Mithu Yadav resorted to fire, but it did not hit the informant.

It is submitted by learned counsel for the petitioners that in the background of the land dispute, the accusation has been levelled. The only accusation levelled under Section 379 of the I.P.C. is non-bailable which is alleged against the petitioner no.2, Bipin Yadav. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by learned APP for the State that the petitioners are named in the FIR with specific accusation.

Considering the nature of accusation, keeping in view of the specific case of the petitioners that in the background of land dispute, the case has been lodged, coupled with statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners 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) each with two sureties of the like amount each to the satisfaction of the learned ACJM-I, Khagaria, in connection with Parbatta P.S. Case No.453 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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