

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70795 of 2018

Arising Out of PS. Case No.-153 Year-2018 Thana- RAFIGANJ District- Aurangabad

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1. Sunil Yadav, S/o Ramashish Yadav,
 2. Lal Bahadur Yadav, S/o Banwari Yadav,
 3. Shambhu Yadav, S/o Lal Dev Yadav,
 4. Kamdev Yadav, S/o Late Chandradev Yadav,
- All R/o Village- Sharda Bigha, P.S.- Rafiganj, District-
Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lal Bahadur Singh, Adv.

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-12-2018 Heard learned Counsel for the petitioners and

learned APP for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 307, 323, 324, 325 and 341 of the Indian Penal Code.

The prosecution case as per the written report of Rakesh Kumar dated 14.08.2018 submitted to SHO, Rafiganj is to the effect that on the same day when the informant along with other family members of the house went to the field for cultivation then twenty one accused persons, including the petitioners, assaulted the informant with sharp cut weapons.

It is submitted by learned counsel for the petitioners



that in the background of land dispute, the accusation has been levelled. In fact, the present case is a counter blast of Rafiganj P.S. Case No.152 of 2018 lodged by petitioners' side at earlier point of time. Moreover, similarly situated co-accused have been granted anticipatory bail by a co-ordinate Bench of this Court vide Criminal Miscellaneous No. 72034 of 2018. The accusation has been levelled in the background of land dispute. 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 there is specific accusation against the petitioners in the FIR.

Considering the case lodged by the petitioners' side at earlier point of time, the impugned order does not suggest any grievous injury caused to anyone and co-accused have been granted anticipatory bail, 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 CJM, Aurangabad, in connection with



Rafiganj P.S. Case No. 153/2018, subject to the conditions as
laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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