

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55940 of 2018

Arising Out of PS. Case No.-172 Year-2017 Thana- CHANDAN District- Banka

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1. Pramod Yadav, S/o Sahdeo Yadav,
 2. Sahdeo Yadav S/o Late Bhola Yadav, Both R/o Vill.- Behrar,
P.S.- Chandan (Anandpur O.P.), District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 10-12-2018 Heard the learned counsel for the petitioners and

the State.

The petitioners seek bail in anticipation of their arrest in connection with Chandan (Anandpur) P.S. Case No. 172 of 2017 dated 01.11.2017 instituted for the offences under Sections 341, 323, 308, 504 and 34 of the Indian Penal Code.

The petitioners are alleged to have manhandled the informant because of a dispute arising out of the efforts for removing of earth. The cause of occurrence appears to be dispute about the ownership of a land. The allegation of assault is by fists and slaps.



Learned counsel for the petitioners has submitted that assuming the allegations in the F.I.R. to be correct, no offence under Section 308 of the I.P.C. can at all be said to have been made out.

Considering the nature of accusation and the fact that the petitioners are co-villagers of the informant, the petitioners above-named are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Chandan (Anandpur) P.S. Case No. 172 of 2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Ashutosh Kumar, J)

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