

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76166 of 2018

Arising Out of PS. Case No.-262 Year-2018 Thana- HARNAUT District- Nalanda

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1. Pappu Kumar Yadav age about 35 years
 2. Subhash Prasad Yadav age about 40 years
- Both sons of Bindeshwar Prasad @ Beshwar Prasad Yadav, resident of Village- Nehusa Bigha, P.O.- Nehusa, P.S. Harnaut, District- Nalanda at Bihar Sharif.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey
For the Opposite Party/s : Mr.Sri Anil Kumar Singh 1

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 21-12-2018 Heard learned counsel for the petitioners and learned
APP representing the State.

Petitioners are seeking anticipatory bail in connection with Harnaut P.S. Case No. 262 of 2018 registered for the offences punishable under Sections 341, 323, 307, 379, 354 and 504/34 of the Indian Penal Code.

As per the First Information Report, allegations against the petitioners are that they have assaulted the informant.

Learned counsel for the petitioners submits that there is a land dispute between the parties and because of that petitioners have been falsely implicated in the present case. The



allegation against the petitioner no.1 is that he had closed the eye of the informant, whereas petitioner no.2 put a Gamcha in the neck of the informant and forcibly caught the neck. Learned counsel submits that in the FIR there is allegation of assault by giving iron rod blow against one Bindeshwar Prasad who has been granted privilege of anticipatory bail by a learned coordinate Bench of this Court in Cr. Misc. No.65578 of 2018 (Annexure-7).

Learned APP for the State is present and has opposed the prayer for bail.

In the given facts and circumstances where it is the submission of the learned counsel for the petitioners is that there is a land dispute between the parties and Title Suit is pending in the court below at Biharsharif and then one of the co-accused Bindeshwar Prasad has been granted privilege of anticipatory bail, in case of arrest or surrender of the petitioners within a period of four weeks from today, the abovenamed petitioners shall be enlarged on bail on furnishing bail bond of Rs.15,000/- (rupees fifteen thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Harnaut P.S. Case No. 262 of 2018, subject to the condition that



petitioners shall join the investigation by reporting to the Investigating Officer within a period of three weeks from today and shall cooperate in course of investigation, failing which the Investigating Officer shall be at liberty to take steps for cancellation of their bail bond. This will be in addition to condition prescribed under Section 438(2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

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