

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4114 of 2019

Arising Out of PS. Case No.-222 Year-2018 Thana- AKBARPUR District- Nawada

1. Dinesh Yadav @ Dinesh Prasad, aged about 26 years, (Male), Son of Chando Yadav @ chando prasad, Resident of Village- Fatehpur, P.S.- Akbarpur, District-Nawada
2. Sako Yadav @ Satendra Yadav, Son of Sito Yadav, Resident of Village- Fatehpur P.S. Akbarpur District-Nawada
3. Ramashis Kumar @ Ramashish Yadav @ Ramashish Pd Yadav. Son of Chando Yadav @ Chando Pd, Resident of Village-Fatehpur, P.S.- Akbarpur District-Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma
For the Opposite Party/s : Mr. Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-01-2019 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 341, 323, 354, 307 and 379 of the IPC.

The prosecution case, as per the written report of Vimala Devi, dated 15.09.2018, submitted to the Station House Officer, Akbarpur Police Station, is to the effect that on the same day, at 8 A.M., 14 accused persons including the petitioners came



variously armed when petitioner no.1, Dinesh Yadav, in drunken condition, caught hold the hair lock of the informant and pushed her on the ground, as a result, she became semi naked. It is alleged against petitioner no.2 that he assaulted with Khanti on the back of the informant, whereas accusation against petitioner no.3 is omnibus and general.

It is submitted by learned counsel for the petitioners that for the occurrence of 15.09.2018 at 8 A.M., the written report was submitted on the same day at 3.15 P.M. The petitioners' side also lodged a case being Akbarpur P.S. Case No. 221 of 2018 against the informant at earlier point of time. It is further submitted that the FIR does not suggest that any grievous injury has been caused to any one and in the background of land dispute, the accusation has been levelled against the petitioners. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the accusation of assault has been levelled against petitioner nos. 1 and 2.

Considering the genesis of occurrence being land dispute and the fact that neither the FIR nor the impugned order suggest that any grievous injury has been caused to the informant's side, coupled with the 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/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned ACJM-1st, Nawada in connection with Akbarpur P.S. Case No. 222 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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