

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5351 of 2019

Arising Out of PS. Case No.-473 Year-2018 Thana- SIWAN MUFFASIL District- Siwan

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1. Hareram Yadav, son of Late Balkhila Yadav
 2. Navin Yadav, son of Hareram Yadav
 3. Rakesh Yadav, son of Hareram Yadav

All are residents of Village – Sarsar, P.s. - Siwan Muffasil, District – Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Udit Nr. Singh
For the Opposite Party/s	:	Mr. Umanath Mishra, APP
For the Informant	:	Mr. Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 31-01-2019 Heard learned Counsel for the petitioners, learned Counsel for the Informant and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Siwan Muffasil Police Station Case No. 473 of 2018, disclosing offences under Sections 341, 323, 324, 325, 307, 504 and 34 of the Indian Penal Code.

The petitioners belong to the same family. The informant and the petitioners are agnates.

On perusal of the First Information Report, it is manifest that the occurrence had taken place because of land dispute between them. Allegedly, the petitioner no. 3 assaulted



the informant's daughter with *dab*, which, she could prevent with her hand. She, however, sustained injuries in both of her hands and head. There is allegation against petitioner no. 1 of having assaulted the informant's son with lathi.

It has further been contended that in respect of the same land, earlier also a case was registered, being Siwan Mufassil P.S. Case No. 165 of 2013, in which the petitioners have been made accused.

On the basis of what has been alleged in the First Information Report, and considering the fact that based on counter version, another First Information Report has been registered against the informant of the present case, a case for grant of anticipatory bail is made out.

This application is, accordingly, allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan, in connection with Siwan Mufassil Police Station Case No. 473 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.



This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

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