

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15754 of 2019

Arising Out of PS. Case No.-129 Year-2017 Thana- PANJWARA District- Banka *

1. Shiv Shankar Thakur @ Garib Thakur, Son of Late Gajadhar Thakur, Resident of village-Jagatpur, Police Station-Panjwara, District-Banka.
2. Bhikhari Thakur, Son of Late Gajadhar Thakur, Resident of village-Jagatpur, Police Station-Panjwara, District-Banka.
3. Ram Bilash Yadav, Son of Late Shildhar Yadav, Resident of village-Jagatpur, Police Station-Panjwara, District-Banka.
4. Pravesh Yadav @ Bhawesh Yadav, Son of Arjun Yadav, Resident of village-Jagatpur, Police Station-Panjwara, District-Banka.
5. Gopal Yadav, Son of Bindeshwari Yadav, Resident of village-Jagatpur, Police Station-Panjwara, District-Banka.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Kumar

For the Opposite Party/s : Mr. Pancha Nand Pandit

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 14-03-2019 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 148, 149, 323, 327, 384, 504 and 506 of the IPC.

The prosecution case, as per the written report of Mahadev



Thakur submitted to the Station House Officer, Panjwara Police Station, is to the effect that the informant purchased 2 Acres 07 decimals of land, appertaining to Thana No.366, Khata No.44, Plot No.720, Circle Dhoraiya, situated in Mauza Jagatpur, in favour of his wife. It is alleged that all the accused persons including the petitioners came variously armed and forcefully ploughed the land in question and looted away paddy crops of the informant. It is further alleged that the accused persons also gave life threat to the informant and his family members for leaving the land in question.

It is submitted by the learned counsel for the petitioner that the in the background of land dispute, the accusation has been levelled against the petitioners. It is further submitted that the accusation is omnibus and general against the petitioners. Moreover, similarly situated co-accused persons namely, Ramdhani Thakur, Narayan Thakur, Sitaram Thakur and Raju Thakur have been granted anticipatory bail by Co-ordinate Bench of this Court vide order dated 29.06.2018, passed in Cr. Misc. No.35599 of 2018.

It is submitted by the learned APP for the State that the petitioners are named in the FIR.

Considering the fact that the accusation is arising out



of civil nature of dispute and similarly situated co-accused persons have been granted anticipatory bail by Co-ordinate Bench of this Court, 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 **Chief Judicial Magistrate, Banka**, in connection with **Panjwara P.S. Case No.129 of 2017**, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

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