

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16431 of 2019

Arising Out of PS. Case No.-106 Year-2018 Thana- LODIPUR District- Bhagalpur

1. PRAMOD YADAV @ PASSO YADAV Son of Jagarnath Yadav Resident of Village-Koili, Police Station- Jagdishpur, District- Bhagalpur.
2. Mandeep Yadav @ Mandeo Yadav Son of Tanik Lal Yadav Resident of Village - Khuttaka, Police Station - Lodipur, District- Bhagalpur.
3. Surendra Yadav @ Surendra Kumar Yadav @ Sopi Yadav Son of Late Chulahn Yadav Resident of Village- Khuttaha, Police Station - Lodipur, District- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Manoj Kumar

For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 15-07-2019 The petitioners apprehend their arrest in connection with Lodipur P. S. Case No. 106 of 2018 registered under Sections 147,148,149,387 and 307 of the Indian Penal Code and 27 of the Arms Act.

Allegation against the petitioners is that while the informant was getting the land ploughed, which was given to him by one Kaushlya Devi, petitioners along with other accused persons arrived variously armed and started abusing the informant and stopped tractor. It has further been alleged that petitioner no. 3 along with other accused persons fired upon him and demanded *Rangadari* of Rs. One lac.



Mr. Rajendra Narain, learned senior counsel for the petitioners, submits that petitioners have falsely been implicated in this case due to land dispute inasmuch as the alleged land , being ploughed by the informant, was given by way of agreement for sale to the side of the petitioners, which would be evident from Annexure-2 annexed with this application and from perusal of the same, it would appear that land in question was given by Kaushalya Devi in favour of Mandeep Yadav (petitioner no. 2). Learned senior counsel further submits that no firearm injury has been caused to anybody and no empty cartridge was recovered from the place of occurrence during course of investigation.

On the other hand, learned counsel for the State, submits that from perusal of case diary, it appears that there is no sign of recovery of empty cartridge even from the place of occurrence and no injury has been caused to the informant.

After having heard learned counsel for the parties and taking into consideration the fact that there appears to be a land dispute between the parties and no firearm injury has been sustained by anybody from the side of the informant, accordingly, I am inclined to grant anticipatory bail to the petitioners. Let the petitioners, above-named, in the event of



arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bhagalpur in connection with Lodipur P.S.Case No. 106 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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