

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14909 of 2019

Arising Out of PS. Case No.-182 Year-2018 Thana- BELHAR District- Banka *

1. Jamun Yadav Son of Late Debu Yadav, Resident of Village- Rewa Tola (Chirauta), Police Station- Belhar, District- Banka.
2. Bijay Yadav @ Birendra Yadav Son of Budhu Yadav, Resident of Village- Rewa Tola (Chirauta), Police Station- Belhar, District- Banka.
3. Sabita Devi Wife of Bijay Yadav @ Birendra Yadav, Resident of Village- Rewa Tola (Chirauta), Police Station- Belhar, District- Banka.
4. Ravi Yadav Son of Tejo Yadav, Resident of Village- Rewa Tola (Chirauta), Police Station- Belhar, District- Banka.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Ajay Mukherjee, Advocate
For the Opposite Party/s	:	Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 12-03-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection with Belhar P.S. Case No. 182 of 2018 registered for the offences under Sections 341, 323, 324, 307, 504, 506 and 379/34 of the Indian Penal Code.

Informant Nandu Yadav lodged the F.I.R. alleging that the accused persons Jamun Yadav, Bijay Yadav, Kanchan Yadav and Savita Devi were cultivating his land forcibly and when protest was made Ravi Yadav having *Lathi* in his hand reached



there. Bijay Yadav got him down and after taking *Lathi* from Ravi Yadav, Bijay Yadav gave *Lathi* blow on his head causing bleeding injury. Bijay Yadav assaulted on his chest by fist and legs.

Learned counsel for the petitioners submits that there is bona fide land dispute between the parties and there is counter version of the present occurrence also vide Belhar P.S. Case No. 181 of 2018 lodged by wife of petitioner no. 1. The allegation of assault against the petitioner is general and omnibus.

Learned APP opposes the prayer of bail by submitting that there is specific allegation against petitioner no. 2 regarding assault to the informant causing bleeding injury.

In the facts and circumstances of the case wherein there is specific allegation against the petitioner no. 2 causing assault to the informant, this Court is not inclined to grant anticipatory bail to the petitioner no.2. His prayer of anticipatory bail is, thus, rejected.

So far as petitioner nos. 1, 3 and 4 are concerned, there are general and omnibus allegations against them, therefore, let the petitioner nos. 1, 3 and 4 above named, in case of their arrest or surrender within a period of four weeks from today in connection with Belhar P.S. Case No. 182 of 2018, be



enlarged on bail on furnishing of bail bonds of Rs. 15,000/-
(fifteen thousand) each with two sureties of the like amount
each to the satisfaction of learned Additional Chief Judicial
Magistrate III, Banka, subject to the condition as laid down
under Section 438(2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

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