

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15003 of 2019

Arising Out of PS. Case No.-4 Year-2018 Thana- KUSHESHWARASTHAN District-
Darbhanga

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1. Surender Yadav, Son of Bhramdev Yadav, Resident of Village - Shreepur Gobarahi, Bhindua, P.S.- Kuseshwar Asthan, Distt.- Darbhanga, Bihar - 848213
 2. Bacheshwar Yadav, Son of Bhramdev Yadav, Resident of Village - Shreepur Gobarahi, Bhindua, P.S.- Kuseshwar Asthan, Distt.- Darbhanga, Bihar - 848213

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shama Sinha

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

4 17-06-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered under Sections 147, 323, 341, 427, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

Petitioners and other accused persons are said to have descended at the land of the informant and damaged the crops standing on it by the tractor and also resorted firing in the course of retreat. They demanded Rs. 10 lacs in lieu of release of the land.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. The land in question is hailing to the petitioners which they



have purchased from its owner namely Vinay Kumar Singh and crops standing of the aforesaid land is of the petitioners which has been damaged by the informant and his persons. There is land dispute between the parties. Informant has falsely implicated the petitioners in order to grab the land of the petitioners. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Similarly situated co-accused namely Manoj Yadav has been enlarged on anticipatory bail by a co-ordinate Bench of this Court vide order dated 25.03.2019 passed in Cr. Misc. No. 16913 of 2019.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Biraul, Darbhanga in connection with Kusheshwar Asthan P.S. Case No. 04 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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