

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16913 of 2019

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

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Manoj Yadav, aged about 47 years, Male, Son of Rameshwar Yadav, Resident of Khutauna Batardiha, Ward No. 08, Khutauna Jagmohra, P.S. Bithan, District Samastipur, Bihar 848207.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Shama Sinha, Advocate
For the State : Mr. Nand Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 25-03-2019 Heard both sides.

Petitioner apprehends his arrest in Kusheshwar Asthan P.S. Case No.04 of 2018, registered under Sections 147, 341, 323, 427, 504 and 506 of the Indian Penal Code as well as under Section 27 of the Arms Act.

The informant named Brahmdeo Yadav, Surendra Yadav, Bateshwar Yadav and others and alleged that they all came on his land and damaged wheat and maize crops. When the informant protested, they fled away making firing in the air. The informant further alleged that the petitioner was apprehended by the villagers but later on he was released.

Learned counsel for the petitioner submits that the petitioner has not committed any offence. The informant



although apprehended the petitioner but did not make any sorts of allegation against the petitioner. Petitioner happens to be son-in-law of Brahmdeo Yadav and that is why he has falsely been implicated in the case. There is a land dispute for which Title Suit No.104 of 2011 is pending in the court of Civil Judge, Senior Division, Biraul between the two sides.

Taking into consideration the facts aforesaid and nature of allegations made against the petitioner, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of this order, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st, Biraul, Darbhanga in connection with Kusheshwar Asthan P.S. Case No.04 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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