

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27506 of 2019**

Arising Out of PS. Case No.-197 Year-2018 Thana- PHULPARAS District- Madhubani

=====

Ram Swaroop Yadav Son of Late Digamlal Yadav, Resident of Village-Konar,
P.S.-Phulpras, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav, Advocate,

For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

=====

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

2 26-04-2019 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP.

The petitioner apprehends his arrest in Phulparas P.S.
Case No.197 of 2018 registered under Sections 147, 148, 149,
341, 323, 324, 435, 452 and 307 of the Indian Penal Code and
under Section 27 of the Arms Act.

The informant named the petitioner along with other
accused alleging that they all having armed with different
weapons came and began to damage his cattle shed. When his
aunt, namely, Ramrati Devi, Pramila Devi and cousin Shravan
Kumar went to the place of occurrence and protested the acts of
the accused persons, Laxmi Yadav fired upon his aunt due to



which she became injured. Other accused persons fired which hit Shravan Kumar. When Pramila Devi came to save, Ramswaroop Yadav and Chandeshwar Yadav assaulted her.

Learned counsel for the petitioner submits that prior to institution of the case, one Sunil Kumar son of the co-accused lodged Phulparas P.S. Case No.204 of 2018. Admittedly there is a land dispute between two sides. Pramila Devi did not receive any injury which would appear from Annexure 2. Shravan Kumar also did not receive any injury.

Learned counsel for the informant vehemently opposed the prayer for anticipatory bail of the petitioner.

Having considered the fact that the petitioner is alleged to have assaulted Pramila Devi with lathi but Pramila Devi did not receive any injury and there appears to be a land dispute between two sides, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to 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 learned A.C.J.M. I, Jhanjharpur, Madhubani in connection with Phulparas P.S. Case No.197 of 2018, subject to



the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

Harish/-

U		T	
---	--	---	--

