

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34890 of 2019

Arising Out of PS. Case No.-189 Year-2015 Thana- BENIPATTI District- Madhubani

1. Ram Sagar Yadav, aged about 40 years, Male, Son of Late Jimdar Yadav wrongly mention in the impugned order, Son of Late Jaimdhar Yadav Resident of Village- Pauam, P.S.- Benipatti, District- Madhubani.
2. Lochan Yadav, aged about 50 years, Male, Son of Late Garbhu Yadav Resident of Village- Pauam, P.S.- Benipatti, District- Madhubani.
3. Maheshwar Yadav, aged about 35 years, Male, Son of Maksudan Yadav Resident of Village- Pauam, P.S.- Benipatti, District- Madhubani.
4. Gulab Yadav @ Gula Yadav, aged about 22 years, Male, Son of Lochan Yadav, Resident of Village- Pauam, P.S.- Benipatti, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav
For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 29-05-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners preferred this application for anticipatory bail apprehending their arrest in connection with Benipatti P.S. Case No. 189 of 2015 registered for offences under Sections 447, 448, 451, 452, 341, 323, 384, 504, 506 and 34 of the Indian Penal Code.

The allegation as per the FIR is that there was a dispute over about 4 Kathas of land which was got transferred by one Uttim Lal Yadav in favour of the informant. It is alleged that as the said land was not transferred in favour of the accused persons, the accused persons came variously armed and assaulted the informant with fists and slaps. The informant was also threatened that he should



transfer the said land in favour of the accused otherwise he will face dire consequence.

It is submitted by the learned counsel for the petitioners that on investigation, charge sheet has been submitted in the case under Sections 448, 341, 323, 379, 504, 506/34 of the Indian Penal Code. No offence under Sections 379 of the Indian Penal Code is made out, while the other sections are bailable. Further the dispute mainly relates to one of property dispute.

Learned A.P.P. appearing for the State opposes the bail application.

Having heard the learned counsel for the parties and taking into consideration the nature of allegation as narrated in the FIR together with submission made on behalf of the petitioners, let the petitioners, be enlarged on bail in the event of their arrest or surrender in the court below within a period of six weeks in connection with Benipatti P.S. Case No. 189 of 2015 on furnishing bail bond of Rs. 10,000/-(Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Benipatti, Madhubani, subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Partha Sarthy, J)

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