

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35819 of 2019

Arising Out of PS. Case No.-138 Year-2017 Thana- GOVINDPUR District- Nawada

Rahul Kumar, Son of Arjun Prasad Yadav, Resident of Village - Pathra Tola,
Purnadih, P.S.- Govindpur in the District of Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-06-2019 Heard learned counsel for the parties.

The petitioner apprehends his arrest in connection with Govindpur P.S.Case No. 138 of 2017 registered under Sections 147,148,149,323,341 and 506 of the Indian Penal Code.

Allegation against the petitioner, as alleged in the FIR, is that one acre land was vacant from before due to partition dispute and on 05.12.2017 at about 4:00 P.M., the accused persons including the petitioner and 10 to 12 outsiders armed with deadly weapons, like pistol, gun, spear, Farsa etc. were ploughing the disputed field through Swaraj Tractor. At that point of time, Nishu Kumari called her grand-mother Shanti Devi. When she saw that field was being ploughed through tractor, she raised alarm upon which, Ram Swaroop Yadav came out of house. Thereafter, Arjun Yadav made firing and on



hearing sound of firing, all persons of the informant's side came out when accused Ranvir Yadav, Arjun Yadav, Sakendra Yadav and other accused persons chased them by making firing.

It has been submitted by learned counsel for the petitioner that there is land dispute between the parties and there is case and counter case in between them also and no specific allegation has been made against the petitioner in the FIR. It has further been submitted that co-accused Arjun Yadav, against whom there is allegation of firing, has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 27.02.2018 passed in Cr.Misc. No. 11715 of 2018.

After having considered the submissions on behalf of the parties and the fact that no specific allegation and overt act has been alleged against the petitioner and further, co-accused has been granted anticipatory bail by a co-ordinate Bench of this Court, I am inclined to grant anticipatory bail to the petitioner. Accordingly, let the petitioner, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned CJM, Nawada in connection with Govindpur P.S. Case



No. 138 of 2017; subject to condition as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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