

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39536 of 2019

Arising Out of PS. Case No.-42 Year-2019 Thana- GWALPARA District- Madhepura

-
1. Anugrah Yadav @ Chhoti Yadav, son of Late Bhupendra Yadav @ Bhupendra yadav.
 2. Niraj Yadav, son of Ram Yadav,
- Both are resident of village-Jhitkia Kalotha, P.S.-Gwalpara, Distt-Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal
For the Opposite Party/s : Mr.Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 27-06-2019 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Gwalpara P.S. Case No.42 of 2019 for the offence punishable under Sections 147, 148, 149, 341, 323, 379, 354(B) 504 and 506 of the Indian Penal Code and 27 of Arms Act.

The allegation against the petitioner is that informant Abha Devi was lifting cow dung at her door. The petitioner along with 17 named accused came there and started abusing her and also made indiscriminate firing.

Learned counsel for the petitioner submits that the parties are agnates, relative and Gotia and there is land dispute between the parties. The allegation against the petitioners in the First



Information report is omnibus in nature and no overt act has been alleged against these petitioners and allegations of blank firing, assault and theft are against co-accused persons. He further submits that there is a case and counter case between the parties.

After having heard learned counsel for the petitioner as well as State and upon perusal of the materials available on record, it appears that there is a case and counter case and enmity between the parties due to land dispute and no specific allegation is there against the petitioner in the First Information Report.

Accordingly, the petitioners, above named, are directed to surrender before the learned Court below within a period of four weeks and in the event of surrender by the petitioners, the petitioners shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class Uda-Kishanganj, Madhepura, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

sanjeev/-

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

