

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53094 of 2019

Arising Out of PS. Case No.-34 Year-2019 Thana- NAUBATPUR District- Patna

1. RAM NIWASH YADAV Son of Suresh Yadav Resident of Village - Sahar Rampur, P.S.- Naubatpur, District- Patna
2. Surajmal Yadav @ Surajmal Kumar Son of Ranjit Yadav Resident of Village - Sahar Rampur, P.S.- Naubatpur, District- Patna
3. Jitendra Yadav Son of Rajendra Yadav Resident of Village - Sahar Rampur, P.S.- Naubatpur, District- Patna
4. Amitabh Yadav Son of Suresh Yadav Resident of Village - Sahar Rampur, P.S.- Naubatpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajesh Kumar
For the Opposite Party/s	:	.Dr. Indihar Kumari, APP
For Informant	:	Mr. Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 02-09-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Naubatpur P.S. Case NO. 34 of 2019, disclosing offences under Sections 448,341,323,324,326,307 and 506/34 of the Indian Penal Code.

A supplementary affidavit has been filed on behalf of the petitioners, wherein it has been stated that some of the petitioners have criminal antecedent. He has submitted that even those cases have been instituted because of dispute between the informant and these petitioners. He has further argued that there is no specific overt act



alleged against petitioner Nos. 3 and 4. So far as allegation against petitioner Nos. 1 and 2 are concerned, there is allegation of assault made by *knife* and *pasuli*. He, however, submits that the injuries have been found to be simple in nature. He has also argued that there is a counter case filed on the same date by the petitioners' side registered as Naubatpur P.S. Case No. 35 of 2019.

Learned counsel for the informant has vehemently opposed the prayer for anticipatory bail.

However, considering the nature of accusation and the fact that some land dispute between the parties appears to be the reason behind the occurrence and subsequent registration of the FIRs, this application is allowed.

Let the petitioners above named in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM-II, Danapur in Naubatpur P.S. Case No. 34 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two



consecutive occasions, their bail bonds shall be liable to
be cancelled.

(Chakradhari Sharan Singh, J)

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