

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72852 of 2018

Arising Out of PS. Case No.-196 Year-2017 Thana- CHANDAN District- Banka

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1. Kamdeo Yadav, Son of Lal Mohan Yadav,
 2. Lal Mohan Yadav, Son of Manbharan Yadav, Both are resident of Village- Lilavaran, P.S. Chandan (Anandpur), District- Banka.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey

For the Opposite Party/s : Mr. Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-01-2019 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 380, 308, 504 and 506/34 of the IPC.

The prosecution case, as per the written report of Kalwatiya Devi, dated 11.12.2017, submitted to the Station House Officer, Chandan (Anandpur O.P.) Police Station, is to the effect that on 10.12.2017 at 5 PM, the informant was in his house when five accused persons including the petitioners came and started abusing her and on protest being made, all the accused persons started assaulting her. It is specifically alleged that co-accused Sita Ram Yadav assaulted the informant with



lathi and co-accused Soni Devi assaulted with bricks on her eyes. Thereafter, all the accused persons entered into the house of the informant and took out the documents. The motive behind the occurrence is that the accused persons wanted to oust the informant from the land on which she resides.

It is submitted by learned counsel for the petitioners that in the background of land dispute, the accusation has been levelled against the petitioners. There is no specific accusation against the petitioners. The specific accusation of assault has only been levelled against co-accused Raja Ram Yadav and Soni Devi. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the petitioners are named in the FIR.

Considering the fact that specific accusation of assault has not been levelled against the petitioners, coupled with the statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount



each to the satisfaction of learned Judicial Magistrate-2nd Class,
Banka in connection with Chandan (Anandpur) P.S. Case No.
196 of 2017, subject to the condition as laid down under Section
438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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