

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56596 of 2019

Arising Out of PS. Case No.-141 Year-2019 Thana- MADANPUR District- Aurangabad

1. Sheodayal Yadav, Son of Late Banarasi Yadav Resident of Village-Baheri, P.S.-Madanpur, District-Aurangabad.
2. Ramchandra Yadav @ Ram Chander Yadav, Son of Late Banarasi Yadav Resident of Village-Baheri, P.S.-Madanpur, District-Aurangabad.
3. Rajesh Yadav, Son of Ramchandra Yadav @ Ram Chander Yadav Resident of Village-Baheri, P.S.-Madanpur, District-Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 06-09-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Madanpur P.S. Case No.141 of 2019 for the offence punishable under Sections 307, 323, 341, 504, 448 of the Indian Penal Code.

The allegation against the petitioners as per the First Information Report is that on 28.06.2019, the informant, Shankar Yadav and his son Mukesh Yadav were sitting on the door of his house, in the meantime, the petitioners started abusing the informant and demanded the land paper. It is



further alleged that petitioners also assaulted the informant and his son by Bhala and Barcha respectively due to which they sustained head injuries.

Mr. Krishna Prasad Singh, learned senior counsel appearing for the petitioners, submits that petitioner No.1 and 2 are the brothers of the informant and petitioner No.3 is nephew. Learned senior counsel further submits that there is case and counter case between the parties inasmuch as Madanpur P.S. Case No.140 of 2019 had been lodged by the side of the petitioners against the informant and others. Learned senior counsel further submits that injury caused to the informant at Annexure-3 appears to be simple by hard and blunt substance whereas the allegation is of assault by means of sharp cutting weapons. Learned counsel further submits that both the sides received injuries at Annexure-4 series, injury report of petitioner No.1 and 2.

After having heard learned counsel for the petitioners as well as learned counsel appearing on behalf of the State and taking into consideration the fact that both the parties are close relatives and there is land dispute between them and there is case and counter case between the parties, as such, I am inclined to grant anticipatory bail to all these petitioners.



Accordingly, all 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 them, they 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 C.J.M., Aurangabad, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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