

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10042 of 2020

Arising Out of PS. Case No.-154 Year-2016 Thana- PIPRA District- Supaul

1. MAHADEV YADAV Son of Late Janak Yadav
2. Sitaram Yadav Son of Late Daho Yadav
3. Parmeshwari Yadav Son of Late Dukhichandara Yadav
4. Hira Kumar @ Hiralal Yadav Son of Late Janak Yadav
5. Bhuvneshwari Yadav Son of Late Dukhichandra Yadav
6. Rajdev @ Rajdev Yadav Son of Late Janak Yadav all are Resident of Village - Kaushlipatti, P.S.- Pipra, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Nath Yadav
For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 24-06-2020 This case has been heard through video conferencing.

Heard learned Counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 379, 504, 506 and 34 of the Indian Penal Code.

The prosecution case as lodged by the informant is that when he was at his house on 07.08.2016 same time Mahadev Yadav came at his door and says that today is Panchayat of land dispute between Binod Yadav and him so the inforamnt had



reached at the door of Mahadev Yadav there he was looked only five persons and Panchayati was being started and in the meantime of Panchayati Parmeshwari Yadav says that who is owner of this land then he says that who has kept paper will have owner of land. Due to reason parmeshwari Yadav abused him and Mahadev Yadav, Rajdev Yadav also assaulted him and Hiralal Yadav also assaulted by iron rod and Parmeshwari Yadav took Rs. 3000/- from his pocket. On hurling some persons came there and save his life from accused persons.

It is submitted by learned counsel for the petitioners that they are innocent and have not committed any offence. He submits that occurrence took place on 07.08.2016 but FIR was lodged on 29.08.2019 and there is no explanation for the said delay. He submits that petitioner no. 2 is not named in the F.I.R. He submits that wife of petitioner no. 1 has also lodged an FIR for occurrence dated 08.08.2016 under the said Police Station vide Pipra P.S. Case No. 149 of 2016 and during investigation the investigating officer of this case has found true the case under Sections 341, 323, 325, 354 and 34 of the I.P.C. against the informant and others. He submits that supplementary injury report of the informant has been issued by the medical officer of primary health centre Pipra on 20.09.2016 and he has mentioned



that injury Nos. 1, 2, and 3 is simple in nature caused by hard and blunt substances. He further submits that there is case and counter case between the parties and allegation upon the petitioners is general and omnibus.

Considering the facts and circumstances of the case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM, 6th Supaul in connection with Pipra P.S. Case No. 154 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjani Kumar Sharan, J)

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