

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66085 of 2019

Arising Out of PS. Case No.-162 Year-2019 Thana- SABAUR District- Bhagalpur

1. Kundan Yadav, S/o Sri Brahmdeo Yadav R/o village- English, P.O.- Farka, P.S.- Sabour, District- Bhagalpur
2. Manohar Yadav, S/o Kundan Yadav R/o village- English, P.O.- Farka, P.S.- Sabour, District- Bhagalpur
3. Bodh Narayan Yadav, S/o Late Baldeo Yadav R/o village- English, P.O.- Farka, P.S.- Sabour, District- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh
For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 04-03-2020 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Sabour P.S. Case No.162 of 2019, registered for the offence punishable under Sections 341, 323, 308 and 34 of the Indian Penal Code.

The allegation against the petitioners as per the First Information Report is that the petitioner No.1 caught hold the neck of the informant and petitioner No.2 assaulted the informant by means of rod on his head and there is no specific allegation of assault against petitioner No.3.



Mr. Rajeev Ranjan Singh, learned counsel appearing for the petitioners submits that both the parties are co-sharer and there is land dispute between them, as would be evident from the First Information Report. Learned counsel further submits that petitioners are the real owner of the land in question which would be evident from Annexure-2. Learned counsel referring to the impugned order submits that injury caused to the informant have been found to be simple in nature except injury No.3, which is on non-vital part of the body, i.e., near shoulder of the informant and opinion of the doctor has been reserved for injury No.3.

After having heard learned counsel for the parties and taking into consideration the fact that both the parties are co-sharers and there is land dispute between them and injuries caused to the informant have been found to be simple in nature, I am inclined to grant anticipatory bail to the petitioners.

Accordingly, let the petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur, in



connection with Sabour P.S. Case No.162 of 2019, subject to the
condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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