

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69769 of 2019

Arising Out of PS. Case No.-22 Year-2019 Thana- GURUA District- Gaya

1. DHANANJAY KUMAR @ DHANANJAY KUMAR YADAV S/O Sanjay Yadav
2. Chanarik Yadav @ Chandrik Yadav @ Chanrik Yadav @ Chandradeo Yadav S/O Late Nanhak Yadav
Both resident of village Devariya, P.S.-Guraru, District-Gaya.
3. Kapindra Dangi @ Kapindra Prasad Dangi @ Kapindra Manjhi S/O Nandkeshwar Prasad Resident of Village- Malpa, P.S.- Gurua, District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Adv.

For the Opposite Party/s : Mr. Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

5 30-06-2020 Heard learned counsel appearing for petitioners as well as learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioners apprehend their arrest in connection with Gurua P.S. Case No.22 of 2019 registered for the offences punishable under Sections 147, 148, 149, 427, 341, 323, 307, 379, 354(a), 504, 506 of the IPC.

Petitioners are named in the First Information Report, but no specific overtact has been attributed against the petitioners.

The fardbeyan of informant goes to show that it were



co-accused Sanjay Yadav and Vikash Kumar, who caused injury to the informant.

Learned counsel of the petitioners submits that according to the prosecution case itself the alleged occurrence took place when the FIR named accused persons made attempt to construct structure after demolishing the old building of the informant and, therefore, the aforesaid fact clearly goes to show that there was land dispute between the parties. He further submits that as a matter of fact, the land in question was purchased by the petitioners through valid sale deed.

Although, informant is said to have sustained grievous injury, but the first information report reflects that the author of the aforesaid injury are FIR named accused, namely, Sanjay Yadav and Vikash Kumar. Moreover, there is case and counter case between the parties and no specific overtact has been attributed against the petitioners.

Accordingly, it is ordered that the petitioners in the event of his arrest/surrender within six weeks from the date of receipt of this order to the Court concerned, shall be released on bail on furnishing bail bonds of Rs.10,000/-(ten thousand) within two sureties of the like amount each to the satisfaction of learned CJM, Gaya or his successor in connection with Gurua



P.S. Case No.22/2019, subject to conditions as laid down under
Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

Prakash Narayan /-

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