

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81851 of 2019

Arising Out of PS. Case No.-431 Year-2019 Thana- NARPATGANJ District- Araria

1. UMESH YADAV Son of Late Asilal Yadav Resident of Village-Sonapur, Ward No.13, P.S.-Narpatganj (Bathnaha O.P), District-Araria.
2. Dinesh Yadav Son of Late Asilal Yadav Resident of Village-Sonapur, Ward No.13, P.S.-Narpatganj (Bathnaha O.P), District-Araria.
3. Satya Narayan Yadav @ Sat Narayan Yadav Son of Late Amarjit Yadav Resident of Village-Sonapur, Ward No.13, P.S.-Narpatganj (Bathnaha O.P), District-Araria.
4. Lalit Yadav Son of Late Sadanand Yadav Resident of Village-Sonapur, Ward No.13, P.S.-Narpatganj (Bathnaha O.P), District-Araria.
5. Raj Kumar Yadav Son of Umesh Yadav Resident of Village-Sonapur, Ward No.13, P.S.-Narpatganj (Bathnaha O.P), District-Araria.
6. Pappu Yadav Son of Umesh Yadav Resident of Village-Sonapur, Ward No.13, P.S.-Narpatganj (Bathnaha O.P), District-Araria.
7. Satrugshan Yadav @ Shatrughan Yadav Son of Umesh Yadav Resident of Village-Sonapur, Ward No.13, P.S.-Narpatganj (Bathnaha O.P), District-Araria.
8. Kundan Yadav Son of Dinesh Yadav Resident of Village-Sonapur, Ward No.13, P.S.-Narpatganj (Bathnaha O.P), District-Araria.

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-02-2020 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

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



The petitioners are said to have armed with variously deadly weapons descended on the land of the informant with a tractor and started ploughing his land. On the protest made by him, petitioner-Raj Kumar Yadav gave sword blow but he refrained from sword blow by stopping his hand resultantly he sustained injury on his hand. All the petitioners shoved the informant on the ground and assaulted him by means of fists and slaps. Petitioner no.7 snatched Rs.10,000.00 from his pocket.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. There is a long standing land dispute between the parties. The bone of contention between the parties is that petitioners' side got a piece of land admeasuring 1½ acres from one Shashi Sah and the informant's side also wanted to take this land. Both the sides are agnates and next door neighbour. No independent witness has supported the occurrence. Earlier to the case under hand, the petitioners have lodged a case bearing Narpatganj (Bathnaha) P.S. Case No.429 of 2019 and in retaliation thereto, this false and frivolous case has been lodged against the petitioners on altogether concocted allegation. There is inordinate and abnormal delay of one day in lodging the F.I.R.



without assigning any plausible and convincing reason for the said delay. Petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Araria in connection with Narpatganj P.S. Case No.431 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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