

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27372 of 2020

Arising Out of PS. Case No.-271 Year-2018 Thana- KISHUNPUR District- Supaul

1. MAHESHWARI PRASAD YADAV @ MAHESHWARI YADAV Son of Gosay Yadav Resident of Village - Dighiya, Ward No. - 13, P.S. - Kishanpur, District - Supaul, State - Bihar.
2. Rajesh Kumar @ Rajesh Yadav Son of Hira Yadav Resident of Village - Dighiya, Ward No. - 13, P.S. - Kishanpur, District - Supaul, State - Bihar.
3. Hira Yadav Son of Boku Yadav Resident of Village - Dighiya, Ward No. - 13, P.S. - Kishanpur, District - Supaul, State - Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kuldeep Kumar

For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 15-01-2021 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Kishanpur P.S. Case No. 271 of 2018, registered under sections 341, 323, 324, 307, 447, 379, 504, 506 and 34 of the Indian Penal Code.

As per allegation in the FIR, seven named accused persons including the three petitioners herein are stated to have abused and assaulted the informant with a sharp cutting weapon, causing various injuries. They are also stated to have taken away



a chain worth Rs. 35,000/-.

It is submitted by learned counsel for the petitioners that the allegations as levelled in the FIR are false and incorrect. The allegations are general and omnibus in nature. Admittedly there is land dispute between the parties in which Title Suit No. 222 of 2012 had been filed from the informant side, which was subsequently dismissed as withdrawn. It is submitted that the petitioners have no criminal antecedent and their case stands on similar footing to that of four named co-accused who have been enlarged on bail vide order dated 5.12.2020 passed in Cr. Misc. No. 26361 of 2020.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the allegations being general and omnibus in nature and grant of bail to the co-accused, the Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of six weeks from today and in the event of their arrest or surrender in connection with Kishanpur P.S. Case no. 271 of 2018, they will be enlarged on bail on each of them furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like



amount each to the satisfaction of learned Judicial Magistrate-
1st Class, Supaul subject to the conditions as laid down under
section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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