

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.34582 of 2020

Arising Out of PS. Case No.-181 Year-2020 Thana- FALKA District- Katihar

PRINCE YADAV, SON OF SUNIL YADAV, RESIDENT OF VILLAGE -
POTHIA, P.S. - FALKA, (POTHIA), DISTRICT – KATIHAR

... Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr. Arun Kumar Mandal, Adv.

For the Opposite Party : Mr. Ram Sumiran Rai, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 22-03-2021 As prayed for, let the learned counsel for the petitioner remove the defect(s), as pointed out by the office vide it's note, dated 11.12.2020, within four weeks of starting of the Court proceeding in physical mode properly.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with Falka (pothiya) P.S. Case No. 181 of 2020 (G.R. No. 2098 of 2020), registered under Sections 341, 323, 379, 427, 504, 506 and 34 of the Indian Penal Code.

The accusation is that on 1/2.06.2020 Sunil Yadav, Prince Yadav (petitioner) and Piyush Yadav damaged the maize crop of the field of the informant, Vinod Yadav, and came at the house of the informant, Vinod Yadav, saying that you may go to see the damaged maize crop. When informant made protest, then, all started to abuse and dashed him, but, neighbours rushed there and pacified the dispute. At that time, Prince Yadav (petitioner) took the cash of Rs.5,000/- from his pocket.



Submission is that in fact informant and petitioner are agnates and nephew and uncle in relation. Further, submission is that in fact the ancestral property of the family has not been partitioned, due to ill motive of the informant and only to give undue pressure so that the property could not be partition, the informant has lodged the present case and has also lodged two cases, as detailed in paragraph 3.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Falka (pothiya) P.S. Case No. 181 of 2020 (G.R. No. 2098 of 2020) shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Katihar, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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