

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13471 of 2021

Arising Out of PS. Case No.-149 Year-2020 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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1. BIRENDRA YADAV @ BIRENDRA MOHAN YADAV Son of Late Moti Yadav Resident of Village - Paharpur, P.S. Magadh Medical District - Gaya.
 2. Ram Bilash Yadav @ Bilash Yadav Son of Jagu Yadav Resident of Village - Paharpur, P.S. Magadh Medical District - Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prithvi Raj Singh, Advocate
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 03-01-2022 Heard Mr. Prithvi Raj Singh, learned Advocate
for the petitioners and the learned APP for the State.

The petitioners seek bail in anticipation of his arrest in connection with Magadh Medical P.S. Case No. 149 of 2020 dated 03.08.2020 instituted for the offences under Sections 147, 148, 149, 341, 323, 324 and 379 of the Indian Penal Code.

The accusation in the FIR is that the petitioners and others is of having entered the house of the informant and having misbehaved with the female inmates. Some of them were also assaulted.

Learned counsel for the petitioners has submitted that a day prior to the lodging of the subject FIR, one Urmila Devi, mother of one of the co-accused persons viz. Santu Kumar had lodged an FIR against the



informant and other members of his family *vide* Magadh Medical P.S. Case No. 153 of 2020.

There is a land dispute between the parties and a Title Suit No. 11/2005/153/2005 is being contested between them. The report of the Amin, it has been brought to the notice of this Court, reflects that the land of the petitioner has been encroached upon by the informant.

On the aforesaid ground and that except for Section 379 IPC, all the other offences are bailable, the petitioners have prayed for anticipatory bail.

Considering the submissions aforesaid, the petitioners are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 4th Gaya in connection with Magadh Medical P.S. Case No. 149 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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