

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41095 of 2023

Arising Out of PS. Case No.-48 Year-2022 Thana- HARLAKHI District- Madhubani

1. Vimala Devi Wife Of Ram Sharan Yadav Village Bela Tola Ps Harlakhi District Madhubani
2. Ram Saran Yadav Son Of Ramsukhit Village Bela Tola Ps Harlakhi District Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Murari Narain Chaudhary, Adv.

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 28-07-2023 Heard learned Counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 307, 379, 504 & 506/34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. He submits that the informant and the accused (petitioner No.2) are full brothers and with a view to measurement of the land, the entire dispute has arisen between them whereupon the informant has filed the criminal miscellaneous case against husband, wife (petitioner no.2 and petitioner No.1) and his father.

4. Counsel for the petitioners submits that from the content of F.I.R., it transpires that there is land dispute and for the same date and place of occurrence, there are two criminal cases has been filed in which one case has been filed from the

side of the petitioners against the informant i.e., Harlakhi P.S. Case No. 50 of 2022 and the present case is Harlakhi P.S. Case No. 48 of 2022.

5. Counsel also submits that antecedent of the petitioners are clean.

6. Learned APP for the State opposes the prayer for bail and submits that there is case and counter case for the same date and place of occurrence and from the details of both the cases, it transpires that petitioner No.2 and informant are full brothers.

7. In the present facts and circumstances, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 6 weeks from today, on furnishing bail bond to the satisfaction of the learned Addl. Sessions Judge-VI -cum- Special Judge(POCSO) Madhubani/ Incharge Successor Court in connection with Harlakhi P. S. Case No.48 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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