

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49451 of 2023

Arising Out of PS. Case No.-166 Year-2023 Thana- OBRA District- Aurangabad

1. LALDEO YADAV SON OF MAHESHWAR YADAV VILLAGE SIHURI
TOLA DIGHARA P S OBRA DISTRICT AURANGABAD
2. RAMCHANDRA YADAV SON OF LATE MAHESH YADAV VILLAGE
SIHURI TOLA DIGHARA P S OBRA DISTRICT AURANGABAD
3. MAHESHWAR YADAV SON OF LATE MUNGESHWAR YADAV
VILLAGE SIHURI TOLA DIGHARA P S OBRA DISTRICT
AURANGABAD

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh
Mr. Bhaskar Shankar
For the Opposite Party/s : Mr. Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 11-08-2023 1. Heard learned Senior Counsel for the petitioners and
learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out
of Obra Police Station Case No. 166 of 2023, dated
23.04.2023, disclosing offences punishable under
Sections 307/341/323/324/325/34 of the Indian Penal
Code.
3. The prosecution case, as per the First Information Report,
is that while the informant was at his house, the
petitioners arrived there and assaulted the informant and
his family members with sword and farsha.



4. Learned Senior Counsel for the petitioners submits that both the parties are agnates and there is admitted land dispute between them. He further submits that the informant has lodged Land Dispute Case No. 29 of 2021-22 before the D.C.L.R., Daudnagar, on 04.12.2021 against the petitioners and others. He further submits that there is case and counter case inasmuch as the petitioner no. 1 has also lodged Obra Police Station Case No. 167 of 2023 against the informant and his family members. He next submits that the injuries caused to the informant and his family members are simple in nature, caused by hard and blunt substance; whereas the allegation against them is that they have assaulted the informant and his family members by means of sword and farsha, which are sharp-cutting weapons.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that both the parties are agnates, there is land dispute between them, there is case and counter case between the parties and the injuries sustained by the informant and his family members are simple in nature, I am inclined to grant the petitioners privilege of anticipatory bail.



This application is, accordingly, allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Daudnagar, Aurangabad, in connection with Obra Police Station Case No. 166 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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