

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67344 of 2023

Arising Out of PS. Case No.-258 Year-2023 Thana- BARBIGHA District- Sheikhpura

1. SHIVKUMAR YADAV SON OF DUKHI YADAV RESIDENT OF VILLAGE-MILKICHAK, PS- BARBIGHA, DIST- SHEIKHPURA
2. ANIL YADAV SON OF SHIVKUMAR YADAV RESIDENT OF VILLAGE-MILKICHAK, PS- BARBIGHA, DIST- SHEIKHPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-10-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 341, 323, 384, 327, 188, 504/34 of the Indian Penal Code.

3. As per prosecution case, on 26.06.2023, all the F.I.R. named accused persons including these petitioners were illegally erecting wall and putting shed on the disputed land and when the informant objected, petitioner No. 2 assaulted him with slaps and pushed him on the ground and petitioner No. 1 abused and threatened to kill the informant.

4. It is submitted on behalf of the petitioners that from



bare perusal of the F.I.R. it is apparent that there is land dispute between the parties for which Title Appeal No. 26 of 2019 is pending before the Civil Court, Sheikhpura. As a matter of fact, it was the informant and his family members who came and started constructing boundary wall on the disputed land. Allegation against the petitioners is general and omnibus and there is no injury report on the record.

5. Learned A.P.P. for the State vehemently opposes the bail application.

6. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged 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 Chief Judicial Magistrate, Sheikhpura in connection with Barbigha (Keoti O.P.) P. S. Case No. 258 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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