

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22315 of 2015

Arising Out of PS.Case No. -66 Year- 2014 Thana -ARA HARIJAN District- BHOJPUR

- =====
1. Santosh Sah S/o Bigan Sah
 2. Tejan Sah S/o Bir Bahadur Sah
 3. Suraj Sah S/o Sita Ram Sah All Resident of Village Sarbu Rai Ke Tola,
P.S. Barahara, District Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sadanand Paswan(Spl.Pp)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-07-2015

Heard learned counsels for the petitioners
and the State.

Petitioners are apprehending their arrest in a
case registered for the offences punishable under Sections 323,
341, 354, 427, 504, 34 of the Indian Penal Code and Section
3(1)(x)(xi) of the SC & ST (Prevention of Atrocities) Act.

It is alleged that petitioners were uprooting
the plant on the land of the informant and when the informant
made protest then petitioner No. 1 Santosh Sah assaulted with
fist on the face of the informant, abused by calling caste name
and gave life threatening. When the wife of the informant came
to rescue then she was also assaulted by petitioner Nos. 2 and
3 with fists and legs.

It is submitted by learned counsel for the
petitioners that occurrence is in two parts. The first occurrence

took place on 02.03.2014 and the second occurrence took place on 06.03.2014. Though Annexure-2 reflects that written report was lodged to Khawashpur P.S on 03.03.2014 but the informant describes himself as Ramjee Sah but the informant by changing his sir name as Ramjee Gond lodged the present case. Though the complaint was filed on 06.03.2014 which came to be registered as police case on 08.10.2014. Moreover no injury was caused to the informant's side.

A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Considering the nature of accusation in the background of land dispute, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory 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 Chief Judicial Magistrate, Bhojpur in connection with SC/ST P.S. Case No. 66 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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