

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3603 of 2015

Arising Out of PS.Case No. -466 Year- 2014 Thana -BUXAR District- BUXAR

Bahadur Yadav

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Ambika Bhagat(Spl.App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-01-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 500 and 379 of the Indian Penal Code, 27 of the Arms Act and Section 3 (I) (X) of the SC/ST (Prevention of Atrocities) Act.

It is alleged that the FIR named accused persons and others came when Mantu Yadav and Sadhu Yadav pointed pistol on the informant to stop the work of construction of boundary wall of Ashram when Mantu Yadav took away Rs.4,000/- and Sadhu Yadav fired in the air to terrorise the informant. It is alleged against the petitioner that he was armed with spear and all the accused persons abused the informant by calling caste name.

It is submitted by learned counsel for the petitioner that no specific overt act has been alleged against the petitioner and

accusation under SC/ST Act is omnibus and general. Moreover, the occurrence took place on 05.10.2014 at 9.45 AM when the FIR was registered on the same day at 6.05 PM and the FIR was received before the learned In-Charge CJM on 07.10.2014. A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Buxar in connection with Buxar (T) P.S. Case No. 466 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

U		T	
---	--	---	--