

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21130 of 2015

Arising Out of PS.Case No. -11 Year- 2014 Thana -SC/ST District- KATIHAR

- =====
1. Ashok Yadav @ Ashok Kumar Yadav S/o Late Rati Lal Yadav
 2. Raghav Yadav @ Raghav Kumar Yadav, S/o Ashok Yadav
 3. Bhola Yadav s/o Ashok Yadav All resident of village Marangi, P.S.-
Mansahi, District- Katihar

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Rajendra Prasad Sah, Advocate.

For the Opposite Party : Mr. Ambika Bhagat,(Spl.APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 16-07-2015 Heard learned counsel for the petitioners as well as

learned counsel for the State.

In this application for anticipatory bail the petitioners apprehend their arrest for the offences punishable under sections 341, 323 and 427/34 of the I.P.C and section 3 (i) (x) of SC/ST (Prevention of Atrocities) Act.

Allegedly, the she-goat of the petitioners damaged vegetable crops of the informant for which the informant kept the she-goat in the nearby pound and thereafter being annoyed the petitioners caused threats and forcibly damaged the vegetable crops causing loss of Rs. 40,000/- and further abused in presence of hundred people openly using caste name and caused threats to

get her necked and to oust from the village.

Submission is of false implication and that all the sections are bailable except the offence under section 3 of the SC/ST Act. Due to land dispute the occurrence has taken place and further the FIR has been lodged after delay of two days and as such the petitioners deserve sympathetic consideration, to which the learned A.P.P. opposes by submitting that in public view the occurrence has taken place and the informant has been humiliated and abused.

Considering the submissions as stated above and noticing the allegation attributed against the petitioners that they abused the informant by using her caste name openly in public view and as such finding it not a fit case for pre-arrest bail the same stands rejected in connection with SC/ST P.S. Case No. 11 of 2014 pending in the court of A.C.J.M. Katihar.

(Jitendra Mohan Sharma, J)

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