

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25511 of 2015

Arising Out of PS.Case No. -20 Year- 2015 Thana -TELHARA District- NALANDA
(BIHARSHARIFF)

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1. Parmanad Singh @ Parma Singh @ Prema Singh S/O Late Musafir Singh
2. Bachchan Singh @ Bachan Singh S/O Late Jodha Singh.
3. Subhash Singh @ Subas Singh S/O Parmanand Singh All Resident of
Village- Kajichak, Police Station- Telhara, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 14-07-2015

Heard both sides.

The petitioners apprehend their arrest in a case under
Section 323 and other sections of the Indian Penal Code and
section 3(i) (v) & (X) of SC/ST Act.

The prayer of petitioner No.1, namely, Parmanand
Singh @ Parma Singh @ Prema Singh for anticipatory bail has
already been dismissed as having become infructuous vide order
dated 01.06.2015.

The informant named the petitioners along with
Parmanand Singh @ Parma Singh @ Prema Singh and alleged that
when the informant protested the construction work, all the
accused persons abused her by naming her caste.

It is submitted that there is land dispute between the
parties and many cases are pending between two sides.

Learned Special P. P., SC and ST Act submitted that the anticipatory bail petition is not maintainable in view of the fact that the petitioners are alleged to have abused the informant by naming her caste.

It appears that on account of land dispute the occurrence took place but the informant did not make any specific allegation against the petitioners. The informant made specific allegation against Parmanand Singh.

Considering the facts aforesaid and the nature of allegations made against the petitioners, the petitioners No.2, Bachchan Singh @ Bachan Singh and No.3, Subhash Singh @ Subas Singh in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Hilsa, Nalanda in Telhara P.S. Case No. 20 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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