

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31959 of 2015

Arising Out of PS.Case No. -13 Year- 2015 Thana -SC/ST P.S. District- NAWADA

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1. Manoj Yadav S/o Kailu Yadav
2. Satyendra Yadav S/o Kailu Yadav
3. Kailu Yadav S/o Bhattu Yadav All r/o vill. - Bhola Bigha, P.S. Muffasil,
Distt. - Nawada

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-08-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147,149,341,323 and 504 of the Indian Penal Code, section 3(1)(x) (xi) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act and sections 3 and 4 of The Prevention of Witch (daain) Practices Act,1999.

It is alleged that the accused persons addressed the informant as witch, stripped her and it is specifically alleged that petitioner Manoj Yadav assaulted with the butt of the pistol on the head of the informant causing swelling injury.

It is submitted by the learned counsel for the petitioner

that for the petty dispute the accusation has been levelled and for the occurrence of 17.3.2015 the FIR was registered on 21.3.2015 whereas it reached to the court of the learned Judicial Magistrate on 23.3.2015 which suggests that the FIR was registered by antedating. More over, the occurrence took place at the door of the informant which cannot be treated to be a place of public view. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the delayed lodging of the case and no injury was caused to the informant, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned JM Ist Class, Nawada, in connection with SC/ST P.S. Case No.13 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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