

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30087 of 2015

Arising Out of PS.Case No. -148 Year- 2015 Thana -RAMGARH District- BHABHUA (KAIMUR)

- =====
- 1.Uma Shankar Sah s/o Basgit Sah
 - 2.Ravindra Sah s/o Umashankar Sah
 - 3.Sonu Sah s/o Ravindra Sah
 4. Malti Devi w/o Ravindra Sah

All resident of village- Sahuka, P.S. Ramgarh,District- Kaimur at Bhabua.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey

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

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-07-2015

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending his arrest in a case instituted under Sections 307 and other allied Sections of the Indian Penal Code and Section 3(1)(F)(g)(5)SC/ST(POA)Act.

It is alleged by the informant that she is living along with mother-in-law and Nanad in the own village 20-25 years ago and the said land was purchased by her mother-in-law from petitioner no.1 and one Indra Awash was demolished by the family of Umashankar. It is further alleged when she went to establish a hut with family member then accused persons came with lathi and assaulted the mother-in-law and Nanad. After assault, they have threatened and abused by naming of caste.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. On behalf of the petitioners, it has been submitted that general and omnibus allegation has been made against the petitioners. Due to land

dispute, the petitioners have been falsely implicated in the present case. It is further submitted that from perusal of the impugned order it appears that there is no injury report in the case diary.

So far provision of SC/ST is concerned, same is not applicable as the occurrence has not taken place in public view.

On behalf of the State, it has been submitted that there is specific allegation against Umashankar and Sonu Singh for assaulting the victim.

Considering the aforesaid facts, let the above named petitioners, in the event of their arrest or surrender in the court below within a period of four weeks, be released on 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 C.J.M.,Kaimur at Bhabua in connection with Ramgarh P.S.Case No. 148 of 2015, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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