

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35688 of 2014

Arising Out of PS.Case No. -129 Year- 2014 Thana -SIMRI District- BUXAR

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1. Dharmendra Pandey son of Sri Raj Govind Pandey
 2. Upendra Pandey @ Upendra
 3. Arbind Pandey
Both sons of Sri Jag Narayan Pandey
 4. Munendra Pandey
 5. Manu Pandey
Both Sons of Sri Harendra Pandey
 6. Chhotu Pandey son of Sri Ram Narayan Pandey
 7. Jag Narayan Pandey son of Late Parma Pandey
 8. Girdhari Pandey son of Late Haribansh Pandey
 9. Raj Govind Pandey son of Late Sheo Kumar @ Sheo Kumar Pandey
 10. Premlata Kumari
 11. Pritam Kumari @ Guddi Kumari @ Gundi Kumari
Both daughters of Sri Raj Govind Pandey
 12. Janak Dulari Devi wife of Sri Raj Govind Pandey
All residents of village- Simari Khairapatti, P.S.- Simri, in the district of Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhileshwar Prasad Singh, Sr. Advocate
: Ms. Anita Kumari Singh, Advocate
: Mr. Bimal Kumar No.II, Advocate
For the Opposite Party/s : Mr. Ramshankar Das, Special P.P.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 01-04-2015 Heard learned counsel for the petitioners and learned counsel for the State.

By order dated 3rd December, 2014, the application for anticipatory bail of **petitioner no.6, namely, Chhotu Pandey** has already been dismissed as infructuous.



The other petitioners seek anticipatory bail in connection with Simri P.S. Case No.129 of 2014 registered for the offences punishable under sections 147, 148, 149, 341, 323, 448, 379, 354, 506, 504 and 429 of the Indian Penal Code as well as section 3(1)(x)(xi) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as “the S.C. and S.T., Act”).

It has been contended that there is a case and counter case. There is no allegation on the basis of which ingredients of any of the offences punishable under the S.C. and S.T., Act. would have been attracted. Most of the sections of the Penal Code alleged are bailable in nature.

It has further been contended that the members of the prosecution party wanted to illegally grab the landed property of the petitioners for which altercation and scuffle took place between the parties.

Learned counsel for the State has opposed the prayer for bail.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioners, namely, 1. Dharmendra Pandey, 2. Upendra Pandey @ Upendra, 3.Arbind Pandey, 4.Munendra Pandey, 5.Manu Pandey, 7.Jag

Narayan Pandey, 8.Girdhari Pandey, 9.Raj Govind Pandey, 10.Premlata Kumari, 11. Pritam Kumari @ Guddi Kumari @ Gundi Kumari, 12. Janak Dulari Devi be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Simri P.S. No.129 of 2014 subject to the conditions as laid down under section 438(2) Cr.P.C.

(Ashwani Kumar Singh, J)

Md.S./-

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