

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35505 of 2015

Arising Out of PS.Case No. -5 Year- 2015 Thana -SC/ST District- JAMUI

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1. Praveen Rai Son of Umrao Rai
 2. Sanjay Rai Son of Pravin Rai
 3. Anmol Rai Son of Pravin Rai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 04-09-2015 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, 148, 387, 324, 386, 504/34 of the Indian Penal Code, 27 of the Arms Act and section 3(1) (i)(v) (vi) (x)(xv) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

It is alleged that petitioner no.2, Sanjay Rai, and petitioner no.3, Anmol Rai, fired on the informant, but caused no injury, thereafter petitioner no.1, Praveen Rai, assaulted him by 'lathi' when informant fell down, petitioner no.3, discharged urine on his mouth. It is further alleged that petitioner no.2, Sanjay Rai, snatched wrist watch, gold chain and Rs.2000/- from the

informant whereas petitioner no.1 demanded extortion of Rs.1,00,000/-.

It is submitted by learned counsel for the petitioners that in the background of land dispute accusation has been levelled and the informant has received no injury. A statement to that effect has been made in paragraph 8 of the petition which reads as follows:

"8. That so far allegation is concerned there is no injury to the informant therefore no case under section 307 I.P.C. is made out."

It is further submitted that the petitioners have no criminal antecedent, a statement to that effect has been made in paragraph 3 to the petition. Moreover, for the occurrence of 03.12.2014 at 8.00 am, the FIR has been registered on 05.02.2015 at 10.00 pm.

Considering the delayed lodging of the case, the accusation has been levelled in the background of land dispute and the informant has received no injury, 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 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the

satisfaction of the learned ACJM, Jamui in connection with Jamui
SC/ST P.S. Case No.5 of 2015, subject to the conditions as laid
down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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