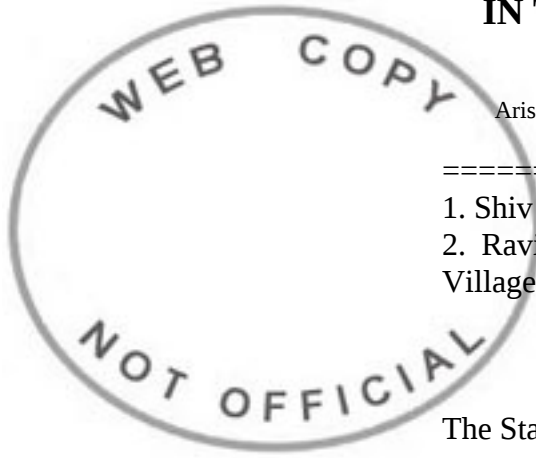




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51386 of 2014

Arising Out of PS.Case No. -63 Year- 2014 Thana -CHHABILAPUR District- NALANDA
(BIHARSHARIFF)

- =====
1. Shiv Shankar Prasad S/o Jawahar Prasad.
 2. Ravindra Prasad S/o Late Chandeshwar Prasad Both are Resident of Village Neemapur, P.S. Chhabilapur, District Nalanda.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Rabindra Prasad Singh, Advocate.
For the Opposite Party : Mr. Hirday Prasad Singh (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 20-05-2015 Vide order dated 23.03.2015, anticipatory bail application of petitioner no. 2, Ravindra Prasad, was disposed of since he was arrested.

The petitioner no. 1 is apprehending his arrest in connection with Chhabilapur P.S. Case No. 63 of 2014 for the offences instituted under Sections 147, 149, 323, 325, 354(B), 504, 506 of the Indian Penal Code and 3(1)(x) of the SC/ST (Prevention of Atrocities) Act.

Heard learned counsel for the petitioner and the State.

The prosecution story, in brief, is that a community hall



was constructed over the disputed land due to which the accused persons got furious and on the day of occurrence they attacked at the house of the informant, started abusing and making attempt to outrage modesty of female persons and on protest they assaulted Arvind Ram, Pramod Ram and their sons causing ruptured injury to one of the injured and hand was broken of another injured.

It has been submitted on behalf of the petitioner that the petitioner has falsely been implicated in the present case. There is a case and counter-case. Counter-case is Annexure-2 to the present application. So far as Section 3(1)(x) of the SC/ST (Prevention of Atrocities) Act is concerned, it is not attracted as the said incident is not in the public view.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the fact that there is case and counter-case and the injuries are simple, let the above named, petitioner no.1 except petitioner no. 2, be released on bail in the event of his arrest or surrender before the learned court below within a period of eight weeks from today in connection with Chhabilapur P.S. Case No. 63 of 2014 on furnishing bail bond of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the

satisfaction of the learned C.J.M. Nalanda at Biharsharif, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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