

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39369 of 2015

Arising Out of PS.Case No. -27 Year- 2014 Thana -SC/ST PS District- GOPALGANJ

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Nag Narayan Bharti son of Daroga Bharti Resident of village- Mathiya Kali
Sthan, P.S. Gopalganj, District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

05-10-2015
02/

Heard learned counsels for the petitioner
and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 341,
323, 120B, 354A, 379, 504/34 of the Indian Penal Code and
3(1)(x)(xv) of SC/ST (Prevention of Atrocities) Act.

The prosecution case is that the sister and
wife of the informant were uprooting the maize crops when co-
accused Prabhunath Sharma, Ram Dayal Bharti, Ravindra Bharti
and the petitioner came and forbade them not to do so since they
have purchased the said land. On protest being made the accused
persons assaulted the sister and wife of the informant and this

petitioner tore the blouse of the wife of the informant. Co-accused Prabhunath Sharma took out silver chain from the neck of the wife of the informant. On 02.06.2014 when the accused persons putting hutment on the land in question then the protest was made when the sister of the informant and others were assaulted.

It is submitted by learned counsel for the petitioners that since the petitioners purchased the land in question, but the informant side, who was under raiyat of the earlier land owner, hence, they were not ready to allow the petitioner side to plough the land in question, hence, maliciously the accusation has been levelled. For the initial occurrence of 10.05.2014 the FIR was registered on 02.06.2014. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

It is submitted by Mr. Ambika Bhagat, learned Special P.P. that the occurrence took place in the field a place of public view.

Considering the delayed lodging of the case and admittedly accusation being made in the background the land dispute, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the

learned court below within a period of twelve weeks from today,
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, Gopalganj in connection with
Gopalganj SC/ST P.S. Case No. 27 of 2014, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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