

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.49523 of 2015**

Arising Out of PS.Case No. -38 Year- 2015 Thana -GAYA HARIZAN District- GAYA

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1. Ajay Yadav son of late Babu Yadav @ Baldeo Yadav  
2. Ravi Kumar son of Ajay Yadav  
Both are residents of village - Kandi Nawda, P.S.- Chandauti,  
District – Gaya ..... Petitioner/s

Versus

The State of Bihar ..... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar Sinha, Advocate  
For the Opposite Party/s : Mr. Sadanand Paswan, Spl.APP

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH**  
**ORAL ORDER**

2      04-11-2015                      Heard learned counsel for the petitioners and learned  
counsel for the State.

The petitioners seek pre-arrest bail in connection with  
SC/ST P.S.Case No. 38 of 2015 registered under Sections 341,  
323, 379 and 504/34 of the Indian Penal Code and also sections  
3(1)(x)(xi) of the Scheduled Castes and Scheduled Tribes  
(Prevention of Atrocities) Act, 1989 (for short “SC/ST Act”).

It is contended that initially a complaint case was filed  
which was referred to the police under section 156(3) of the Code  
of Criminal Procedure (for short “Cr.P.C.”) pursuant to which the  
present FIR has been instituted. On imaginary allegation the case  
has been instituted under Section 3(1)(x)(xi) of the SC/ST Act and  
no public view is involved in the case.

It is further contended that prior to the institution of the

present case, petitioner no.1 had lodged a case against the brother and father of the informant i.e., Chandauti P.S. Case No.134 of 2011 under sections 341, 323 and 379/34 of the Indian Penal Code and for saving the skin of brother and father the instant case has been instituted by the informant.

Taking into consideration the facts and circumstances of the case, in the event of arrest or surrender in the court below within four weeks from today, the above named petitioners are directed to be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Gaya in connection with SC/ST P.S. Case No. 38 of 2015 subject to the conditions as laid down under section 438(2) of the Cr.P.C.

**(Ashwani Kumar Singh, J)**

Md.S./-

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