

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56726 of 2015

Arising Out of PS.Case No. -113 Year- 2015 Thana -RAFIGANJ District- AURANGABAD

Vinod Yadav S/o Late Pragash Yadav

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-12-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 452, 354, 435, 504/34 of the Indian Penal Code and section 3(1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The prosecution case is that the accused persons including the petitioner came at the house of the informant and started abusing by calling caste name when protest was made the accused persons assaulted all the family members of the informant with fists and slaps. It is also alleged that the accused persons killed the duck and hen of the informant.

It is submitted by learned counsel for the petitioner that the accusation is omnibus and general and for the occurrence of

14.08.2015, the FIR was registered on 18.08.2015 whereas the petitioner lodged Rafiganj P.S. Case No. 112/2015 on 14.08.2015 levelling accusation under sections 307/379/326/341/323 of the Indian Penal Code against the informant. Subsequently, the informant has retracted from initial version and has filed a petition to that effect before the learned court below, the same has been brought on record as annexure-3 to the petition. Moreover, a statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner 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) with two sureties of the like amount each to the satisfaction of the learned CJM, Aurangabad in connection with Rafiganj P.S. Case No.113/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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