

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11400 of 2015

Arising Out of PS.Case No. -60 Year- 2013 Thana -CHENARI District- SASARAM (ROHTAS)

1. Rajvansh Yadav @ Rajvansh Singh Son of late Raja Ram Yadav resident of Village: Imrahimpur, P.S.: Chenari, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Ray

For the Opposite Party/s Mr. Ram Shankar Das(Spl.P.P.)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

02/ 24.03.2015 Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor for the State.

The accusation against the petitioner is that he took part consideration money but did not execute sale deed in favour of the informant nor returned the amount taken by him.

The contention on behalf of the petitioner is that much prior to lodging the present case, wife of petitioner lodged Chenari P.S. Case no. 46/2013 against informant and others. It is further contended by him that even if the prosecution story assumed to be true, then also, it is case of civil nature.

No doubt, case has been registered under section 3 (X) of the SC/ST (Prevention of Atrocities) Act as well as sections 420 and 406 of the Indian Penal Code but it is apparent from the contents of the first information report itself that dispute arose between the parties due to cutting of crops and not because of caste of the informant.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that in the event of arrest/ surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Rohtas at Sasaram in Chenari P.S. Case no. 60/2013 subject to condition as laid down under section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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