

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46966 of 2015

Arising Out of PS.Case No. -202 Year- 2014 Thana -FATEHPUR District- GAYA

Jagarnath Yadav, son of Late Dukhi Yadav, Resident of Village - Tekhi,
P.S.-Fatehpur, Dist.-Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar, Advocate.

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 30-10-2015 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 147, 447, 427, 120B, 341, 323, 452, 379, 504 of the Indian Penal Code and 3(1)(x) of the SC/ST Act registered in connection with Fatehpur P.S. Case No. 202 of 2014.

3. It is submitted that the petitioner has been falsely implicated by reason of land dispute relating to land settled in favour of the son of the petitioner, but claimed by the complainant on the basis of false document. It is therefore submitted that the dispute between the parties is purely of civil nature. The accusation that the petitioner along with other persons came armed with pistol, lathi and

iron rod is also not corroborated by any injury report. It is further submitted that the accusation of SC/ST Act are not made out as the alleged occurrence has not been shown to have occurred in public view. It is further stated that co-accused Hiranman Yadav and Tota Yadav have already been granted anticipatory bail in Criminal Miscellaneous No. 32322 of 2015.

4. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya, in connection with Fatehpur P.S. Case No. 202 of 2014, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Vikash Jain, J)

Md. Ibrarul/-

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