

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11105 of 2015

Arising Out of PS.Case No. -275 Year- 2014 Thana -KUDRA District- BHABHUA (KAIMUR)

- =====
1. Mithleshwar Pandey S/o Late Gouri Shankar Pandey
 2. Amit Kumar Pandey S/o Mithleshwar Pandey
 3. Aditya Kumar Pandey @ Aditya Kumar S/O Mithleshwar Pandey
Resident of Village- Gangawaliya, P.S.- Kudra, District- Kaimur at Bhabua

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-04-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 323,307 and 504/34 of the Indian Penal Code and sections 3(1)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

It is alleged that the accused persons restrained the informant from ploughing his field and assaulted him and on protest being made the informant was being assaulted. It is alleged against the petitioner Mithileshwar Pandey that he resorted to firing.

It is submitted by the learned counsel for the petitioners

that for the occurrence of 11.7.2004 the complaint was filed on 13.7.2004 which came to be registered as police case on 18.12.2014 and the informant has retracted from the initial version and has filed a petition to that effect before the learned court below.

Considering the registration of the case after ten years of the occurrence and the retracted version of the informant, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Kaimur in connection with Kudra P.S. Case No. 275 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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