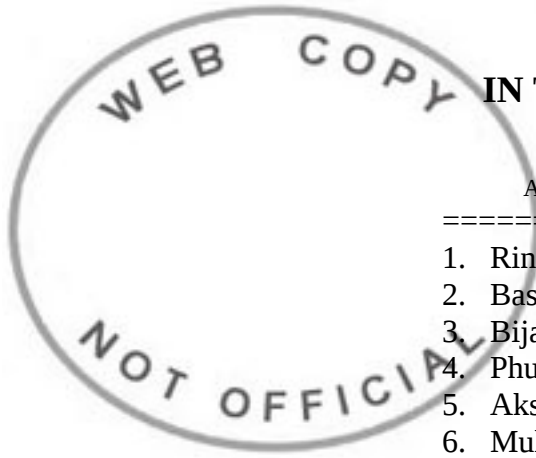




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50484 of 2014

Arising Out of PS.Case No. -42 Year- 2014 Thana -MALI District- AURANGABAD

- =====
1. Rinku Yadav Son of late Kameshwar Yadav
 2. Basant Yadav son of Satya Narayan Yadav
 3. Bijay Yadav son of Late Shobha Yadav
 4. Phuyku Yadav son of Late Kameshwar Yadav.
 5. Akshay Yadav son of Basant Yadav
 6. Mulayam Yadav son of Bijay Yadav
 7. Harendra Yadav @ Harendra Kumar Yadav, son of Rajendra Yadav
 8. Satyendra Yadav son of Late Ram Prasad Yadav
 9. Satya Narayan Yadav son of Late Shobha Yadav All resident of village-
Lahiyarpur, P.S.- Mali Distt. Aurangabad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamlendra Pd. Singh

For the Opposite Party/s : Mr. Ramshankar Das(Spl.Pp)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 14-05-2015 By order dated 16.01.2015 the prayer for pre-arrest

bail of petitioner no.1 Rinku Yadav was withdrawn as he has been

arrested.

Heard learned counsel for the petitioners as well as

learned counsel for the State.

In this application for anticipatory bail the petitioner

nos. 2 to 9 apprehend their arrest for the offences punishable under

sections 354, 323, 504, 506 and 34 of the I.P.C and sections 3 (i) (x) of the SC/ST Act.

Allegedly, on 16.08.2014 when the informant had gone to cultivate paddy crops in his field the petitioners and others came there and abused uttering his caste name and caused threats to kill him and when he wanted to flee away in the meantime some of the petitioners assaulted him with fists and slaps. However, the informant was rescued and again on 23.08.2014 when the informant went to see his land of Khata no. 27, plot no. 28 area 60 decimal then saw some of the petitioners transplanting paddy crops in his field which was opposed then he was abused and they caused threats to kill him.

Submission is of false implication and that for the occurrence dated 16.08.2014 no FIR has been lodged and further FIR has been lodged on 24.08.2014 which was sent in the court on 28.08.2014 after much delay. There is apparent land dispute. No offence under SC/ST Act is made out and the occurrence has not taken place in public view and as such the petitioners deserve sympathetic consideration, to which the learned A.P.P. opposes.

Considering that it is a fit case for regular bail the petitioners are directed to surrender in the court of C.J.M. Aurangabad in connection with Mali P.S. Case No. 42 of 2014 and

seek regular bail then in that case they shall be released on bail on execution of bail bonds to the satisfaction of the court below itself.

(Jitendra Mohan Sharma, J)

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