

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26818 of 2015

Arising Out of PS.Case No. -20 Year- 2015 Thana -SINGHIYA District- SAMASTIPUR

1. Santosh Yadav S/o Guran Yadav

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-07-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Section 147/148/149/447/341/323/354/324/307/435/504 of the Indian Penal Code and section 3(1) (v) (x) (xi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

It is alleged that while the informant was sitting near the hutment of his brother then the petitioner along with 14 others came armed with different weapons when Bijli Sada was assaulted with 'lathi' by co-accused Pawan Yadav, Ram Yadav, Sadev Yadav and co-accused Lalo Devi and Ashok Yadav assaulted Gita Devi with butt of the gun and, thereafter, co-accused Paswan Yadav, Bharoshi Sharma, Ram Yadav lit fire to the hutment of Shobhit Sada, Domi Sada, Sulindra Sada.

It is submitted by learned counsel for the petitioner that accusation is not specific against the petitioner and in the background of land dispute, the accusation has been levelled. There is counter version of the occurrence also. Moreover, 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-2 to the petition. 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 Sub-Divisional Judicial Magistrate, Rosera, Samastipur in connection with Singhia P.S. Case No.20 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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