

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39961 of 2015

Arising Out of PS.Case No. -37 Year- 2015 Thana -HARIJAN PS. District- NALANDA
(BIHARSHARIFF)

- =====
1. CHHOTE YADAV @ANUJ YADAV Son of Banwari Yadav
 2. Ravi yadav Son of Banwari yadav

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Ojha, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-10-2015

Heard learned counsels for the petitioners and the
State.

Petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 149, 323, 341, 504, 506 of the Indian Penal Code and Section 3(1)(x) of the SC & ST (Prevention of Atrocities) Act.

It is alleged that all the accused persons entered into the house of the informant, made assault to the informant. The specific accusation of assault is against non-petitioners, Arjun Yadav and Jamun Yadav. It is also alleged that accused persons abused the informant by calling caste name.

It is submitted by learned counsel for the petitioners that for the occurrence of 08.04.2015 the First Information Report was registered on 15.04.2015 when the accusation is not specific against the petitioners. Admittedly the occurrence took place

inside the house of the informant which can not be treated to be a place in public view. A statement has been made in para 15 of the petition that petitioners have no criminal antecedent.

Considering the fact that accusation is not specific against the petitioner and the occurrence took place inside the house of the informant, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Hilsa at Nalanda in connection with SC/ST P.S. Case No. 37 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Statement has been made in paragraph 15 of the petition that the petitioners have no criminal antecedent, which ought to have been made in paragraph 3 of the petition. The above fact has not been detected by the Stamp Reporter which suggests the casual manner in which the stamp reporting is being done.

Let this order along with record be brought to notice of I/c /Criminal Stamp Reporting.

(Dinesh Kumar Singh, J)

Ashwini/-

U		T	
---	--	---	--