

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42905 of 2015

Arising Out of PS.Case No. -26 Year- 2014 Thana -HARIJAN PS. District- NALANDA
(BIHARSHARIFF)

=====

1. Ganauri Yadav S/o Late Gauri Lal Yadav, Resident of Village Kathrahi,
Police Station - Bind, District -Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Premchandra Yadav

For the Opposite Party/s : Mr. Sadanand Paswan(Spl.Pp)

=====

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 14-10-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341,323,504,506 and 420 of the Indian Penal Code and section 3(1)(x)(xiv) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act.

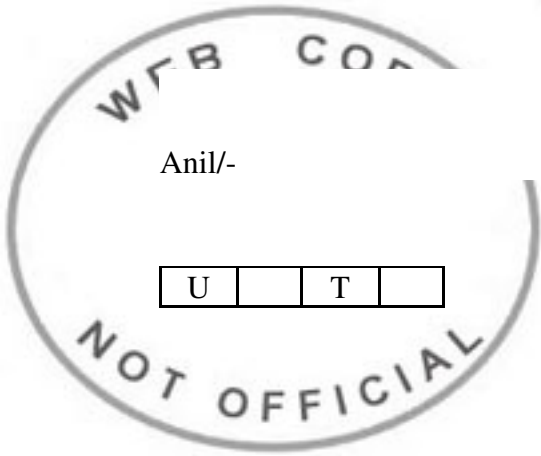
The prosecution case is that the petitioner took rupees three lacs forty thousand from the informant for supply of labours to the brick kiln at Haryana but the petitioner neither supplied labour nor returned the money and on payment being made he used to threaten the informant. On 20.1.2014 while the informant was going to temple for worship, the petitioner abused the

informant by calling caste name and asked him not to enter into the temple. It is also alleged that the petitioner pulled the informant down by catching his collar and gave life threatening in case of lodging of any case.

It is submitted by the learned counsel for the petitioner that for the occurrence of 20.1.2014 the complaint was filed on 31.1.2014 which came to be registered as police case on 24.3.2014. It is further submitted that since the informant hired the petitioner's Bolero vehicle and did not pay the rental amount when demand was made then the present case has been lodged and as per own admission of the informant in the background of some contractual dispute the accusation has been levelled. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the nature of accusation and delayed lodging of the case, 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 twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Nalanda at Bihar Sharif in connection with Nalanda Sadar SC/ST P.S. Case No.26 of 2014 subject to the conditions as laid down

under Section 438(2) Cr.P.C.



Anil/-

(Dinesh Kumar Singh, J)