

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11793 of 2015

Arising Out of PS.Case No. -379 Year- 2014 Thana -MOHANIA District- BHABHUA (KAIMUR)

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1. Nand Lal Yadav @ Nand Lal Singh S/o Late Sita Ram Singh
2. Ram Awtar Singh Yadav @ Ram Awtar Singh S/o Late Suraj Singh
3. Sachhida Nand Singh Yadav S/o Late Nandan Singh
4. Pramod Singh Yadav @ Pramod Singh S/o Late Bihari Singh
5. Bablu Singh Yadav @ Ballu Singh S/o Late Munshi Singh
6. Bhola Singh Yadav @ Bhola Singh S/o Ram Awtar Singh
7. Dara Singh S/o Nankhu Singh
8. Kapil Yadav @ Kapil Kumar Singh S/o Late Bihari Singh

All residents of village- Daniyalpur, Kurai, P.s. - Mohania, District-Kaimur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Pandey, Advocate

For the Opposite Party/s : Mr. C.Sen Pd.Singh(APP)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 23-03-2015

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 504, 325 of the Indian Penal Code, 27 of the Arms Act and 3(1) (x) of the S.C./S.T.(Prevention of Atrocities) Act.

It is alleged that the accused persons assaulted with fists and slaps to the informant and Sharda Devi. Specific accusation of firing is against petitioner no. 8 namely Kapil Yadav @ Kapil Kumar Singh and assaulting with handle of the spade, resulting the fracture on the leg

of the informant.

It is submitted by the learned counsel for the petitioners that the proceeding with regard to land dispute under Sections 144 and 145 is going on between the parties before the S.D.O. and the accusation under S.C./S.T. Act has not been made out.

Considering the specific accusation of causing fracture injury is against petitioner no. 8 namely Kapil Yadav @ Kapil Kumar Singh, this Court is not inclined grant bail to him and accordingly his prayer for bail stands rejected.

Considering the accusation in the background of land dispute, let the above named petitioner nos. 1 to 7 be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Mohania P.S. Case No. 379 of 2014, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

(Dinesh Kumar Singh, J)

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