

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54109 of 2015

Arising Out of PS.Case No. -213 Year- 2015 Thana -BRAHMPUR District- BUXAR

- =====
1. Babu Lal Pathak @ Amit Kumar Son of Bali Shankar Pathak
 2. Bittu Pandey Son of Sant Kumar Pandey
 3. Lala Pandey @ Umesh Kumar Pandey Son of Shyam Sundar Pandey All resident of village - Pandeypur, P.S. - Brahampur, District - Buxar (Bihar)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akash Chaturvedi

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-11-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341,323,354,427,429 and 436/34 of the Indian Penal Code and section 3(1)(x) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act.

The accusation is of making assault to the informant and his family members and setting ablaze to his house.

It is submitted by the learned counsel for the petitioners that the accusation is omnibus and general. It is further submitted that Plot No. 709 of Khata No. 124 area 8 decimal, out of which four and half decimals of land was settled in favour of Ved

Prakash Dubey in the year 1987-88 vide Settlement Case No. 2 of 1992-93 by Ram Sagar Gaur, the ancestor of the informant but on actual measurement the total area of Plot No. 709 was found only 7 decimal and thereafter the dispute with regard to the land in question arose. It is further submitted that the case lodged by the petitioners side is at earlier point of time and similarly situated accused Anil Dubey and Sunil Dubey have been granted anticipatory bail vide Cr. Misc. No. 40006 of 2015. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners 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) each with two sureties of the like amount each to the satisfaction of learned CJM, Buxar in connection with Brahampur P.S. Case No.213 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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