

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44908 of 2015

Arising Out of PS.Case No. -76 Year- 2015 Thana -KHIJARSARAI District- GAYA

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1. Raj Ballam Yadav Son of Late Jagdev Yadav,
2. Jai Kant Yadav son of Raj Ballam Yadav, Both R/o the village-
Hathiyawan, P.S. Khizarsarai, at District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 02-11-2015 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 and 504/34 of the Indian Penal Code and section 3(1)(xiv) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act.

The prosecution case is that the informant did not give key of the tube-well which was handed over to him by the pump operator when the informant was abused by calling caste name and assaulted.

It is submitted by the learned counsel for the petitioners that for the petty dispute the accusation has been levelled and for

the occurrence of 29.3.2015 at 12-01 P.M. the FIR was registered on 30.3.2015 at 8.15 A.M. Moreover, the FIR reached to the court of the learned Judicial Magistrate on 1.4.2015 which reflects that the FIR was registered by antedating. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the fact that the accusation has been levelled in the background of the dispute of not allowing the petitioner to take water from the tube-well by the informant, 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 JM Ist Class, Gaya in connection with Khijarsarai P.S. Case No.76 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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