

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13183 of 2015

Arising Out of PS.Case No. -235 Year- 2014 Thana -BAHADURPUR District- DARBHANGA

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1. Ramgyan Yadav S/o Kanhai Yadav
 2. Ranjit Yadav @ Ranjit Kumar Yadav S/o Ram Gyan Yadav
 3. Suresh Yadav s/o Ramgyan Yadav
 4. Dinesh Yadav s/o Ramgyan Yadav

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Jha, Advocate

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 31-03-2015 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, 504/34 of the Indian Penal Code and Section 3(1) (x) of The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

It is alleged that when the informant and others went to the PDS shop of petitioner no.1, the informant was supplied 25 kg grains in place of 35 kg by charging Rs.85/- in place of Rs.70/- and on protest being made the accused persons abused calling the informant by caste name and petitioner no.3 wrapped neck of the informant by a towel.

It is submitted by learned counsel for the petitioners

that the informant is set up man of the present Panchayat Mukhiya since the petitioner opposed 'Mukhiya' in the last panchayat election and now they want to get his license cancelled. The accusation of abuse by calling caste name is only omnibus and general against all the accused persons. The F.I.R. was registered on 29.07.2014 but it reached to the court of learned Judicial Magistrate on 31.07.2014 which suggests antedating of F.I.R. There is no proof with regard to less quantity of supply of foodgrains and higher prices than the prescribed price by the government being charged. A statement has been made in para 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 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in connection with Bahadurpur P.S. Case No.235 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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