

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54402 of 2015

Arising Out of PS.Case No. -155 Year- 2015 Thana -SIRDALA District- NAWADA

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Girija Prasad, Son of late Bodho Prasad, Resident of village – Hero Tola
Thanu Bigha, P.S. Sirdalla (Meskaur) District – Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indradeo Prasad

For the Opposite Party/s : Mr. S.Dayal(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 01-12-2015

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 341,
323, 504, 506/34 of the Indian Penal Code and 3(1)(x) of SC/ST
(Prevention of Atrocities) Act.

The prosecution case is that the accused
persons came variously armed and started abusing the informant
by calling caste name when co-accused Rajkumar Yadav fired
but no injury was caused to anyone. It is alleged that this
petitioner assaulted with the butt of the gun to the father-in-law
of the informant when co-accused Upendra Yadav assaulted
with lathi to the informant's family.

It is submitted by learned counsel for the
petitioner that the informant side claiming the land of the

petitioner and in that background the accusation has been levelled. For the occurrence of 09.08.2015 at 10.30 A.M. the FIR was registered on 10.08.2015 at 8.30 P.M. which reached to the court of learned ACJM on 13.08.2015. The delayed reaching of the FIR to the court suggests that the FIR has been registered antedating. There is counter version of the occurrence also and petitioner side case was registered at earlier point of time.

A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the nature of accusation in the background of land dispute and the case of the petitioner at earlier point of time, let the above named petitioner be released on anticipatory bail in the event of his 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) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Nawada in connection with Sirdalla P.S. Case No. 155 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

DKS/-

(Dinesh Kumar Singh, J)

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