

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48566 of 2015

Arising Out of PS.Case No. -699 Year- 2014 Thana -COMPLAINT CASE District- JAMUI

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1. Bhuna Yadav son of Late Choudhary Yadav
 2. Prakash Yadav
 3. Kapil Yadav @ Kipildeo Yadav Both sons of Bhuna Yadav
- All residents of Village- Magahi, P.S. Lakshmipur, District- Jamui.

.... Petitioners

Versus

1. The State of Bihar.
2. Sugia Devi, Wife of Naneshwar Das, All residents of Village- Magahi, P.S. Lakshmipur, District- Jamui.

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Arjun Pd. Keshri, Advocate.
For the Opposite Parties : Mr. Ram Shankar Das(Spl.APP)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 04-02-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection with complaint Case No. 699c/2014 for the offences instituted under Sections 323, 354, 379, 504/34 of the Indian Penal Code and section 3(x) of the Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act.

The prosecution story, in brief, is that on 21.04.2014 in the night, Barat party from village Kashmirghat under P.S. Khaira had come in the night in the marriage of her daughter Chandi Kumari and complainant and her family members were engaged in



the service of Barati. The accused persons and some unknown labours taking advantage harvested the wheat crops of father-in-law Peyare Das, area 13.1/4 decimals and took away the crops to their farm. In the morning, informant came to know about the occurrence and she went to the door of the accused persons and made complain then accused persons pushed her from door and abused her by using caste name Chamain and also threatened that they will also commit loot in her house and will also oust her from village. Prakash Yadav with bad intention tore her blouse. Kapil Yadav threatened that they would enter into her house and would commit rape on her Babu-beti then the complainant returned back to her house and after Bidagri of her Barati, narrated about the occurrence to Sarpanch, who assured that after one week, he will hold panchayat and would punish the accused persons but when panchayat was not convened then she filed this case.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. They have falsely been implicated in the present case. There is an admitted land dispute between the parties, which appears from annexure-3. It is further submitted that a proceeding before D.C.L.R is pending between Party and for the said reason, the present complaint petition has been filed on behalf of the complainant.

On behalf of the State it has been submitted that the petitioners are named in the complaint case.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Complaint Case No. 699c/2014, on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Jamui, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J.)

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