

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.1642 of 2016**

Arising Out of PS.Case No. -413 Year- 2015 Thana -BODHGAYA District- GAYA

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1. Rajdeo Yadav S/o Bedu Yadav Resident of Vill- Budhaul, P.s Bodhgaya,  
District Gaya.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sunil Kumar Yadav

For the Opposite Party/s : Mr. Sanjay Kr.Panday(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR**  
**SINGH**  
**ORAL ORDER**

2 13-01-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 448,341,323,376 and 306/34 of the Indian Penal Code and section 3(1)(x)(xi) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act.

The prosecution case is that the petitioner along with others forcibly started taking away the informant but at the nick of the time the son of the informant came when the accused persons fled away but the villagers caught the petitioner but subsequently 20-25 persons came and got released the petitioner.

It is submitted by the learned counsel for the petitioner that the petitioner is neighbour of the informant and maliciously

the accusation has been levelled. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent. It is further submitted that even assuming the accusation, neither the case under section 376 IPc is made out nor offence under the provisions of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act is made out.

Considering the nature of accusation, let the learned court below consider the prayer for regular bail of the petitioner in case the petitioner surrenders within six weeks from today in connection with Bodh Gaya P.S. Case No. 413 of 2015 pending in the court of learned C.J.M. Gaya.

This application is disposed of with the aforesaid observation/direction.

**(Dinesh Kumar Singh, J)**

Anil/-

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