

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8271 of 2016

Arising Out of PS.Case No. -40 Year- 2015 Thana -SC/ST District- JAMUI

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1. Doman Yadav, Son of Dhannu Yadav
2. Nuneshwar Yadav, Son of Amrit Yadav
3. Tirloki Yadav, Son of Gokhul Yadav
4. Ganesh Yadav, Son of Baudhu Yadav
All are residents of Village-Manga Madhar, P.S.- Khaira, District - Jamui.
.... Petitioners

Versus

The State of Bihar.
.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pramod Kumar, Advocate
For the Opposite Party : Spl. PP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 18-04-2016 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences
alleged under Sections 341, 323, 447 and 504/34 of the Indian
Penal Code and Sections 3(i)(x)(iv) of the Scheduled Castes &
Scheduled Tribes (Prevention of Atrocities) Act registered in
connection with Jamui SC/ST P.S. Case No. 40 of 2015.

3. It is submitted that the petitioners have been falsely
implicated and even according to the averments in the First
information report, ingredients of the offence under the
Scheduled Castes & Scheduled Tribes (Prevention of Atrocities)
Act are not made as the alleged occurrence is not in public view.
It is further submitted that there is inordinate delay in instituting

the FIR on 13.08.2015 for the alleged occurrence of 22.07.2015 which itself casts doubt on the veracity of the statement of the informant. There is already a land dispute between the parties.

4. Having regard to the entirety of the facts and circumstances of the case, as such, in the event of the arrest or surrender of the petitioners before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Jamui in connection with Jamui SC/ST P.S. Case No. 40 of 2015, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

B.T/-

(Vikash Jain, J)

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