

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8069 of 2016

Arising Out of PS.Case No. -108 Year- 2014 Thana -MEHANDIA District- JEHANABAD

Arbind Yadav, son of Mahendra Yadav, resident of village Madaila, P.S. Mehandia, District Arwal.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bindeshwar Prasad Singh, Advocate
For the Opposite Party/s : Mr. Md.Fahimuddin, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 23-02-2016 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner apprehends arrest in connection with
Mehandia P.S. Case No.108/14 for offences alleged under Sections
341, 323, 427, 504, 506 of the Indian Penal Code and Section 3(x)
of the SC/ST (Prevention of Atrocities) Act.

The prosecution case, as lodged by the informant,
is that on 20.12.2014 on account of land dispute with his co-
villager Mahendra yadav an officer had come for enquiring the
matter and in that regard he asked from Munilal Yadav that as to
from how many days Nad and Charan is there. Munilal replied that
it existed for last 30 years and when the enquiring officer went
from there Mahendra Yadav is said have assaulted Munilal Yadav

with slap on the nose, on which he fell down and became unconscious. When informant and his son came to rescue he abused by calling caste name and threatened to kill. Thereafter Mithilesh Yadav, Arbind Yadav, Mahendra Yadav destroyed the hut, caught hold of her and assaulted.

It has been submitted by the learned counsel for the petitioner that he is innocent and has committed no offence. It has further been submitted that the allegation is against one Mahendra Yadav, who assaulted Munilal Yadav and also took caste name and there is no allegation against the petitioner under Section 3(x) of the SC/ST (Prevention of Atrocities) Act. Learned counsel for the petitioner further submits that the petitioner has no criminal history, as is evident from paragraph 3 of this petition. The injury on the person of said Munilal Yadav has also been found to be simple in nature and the said injury cannot be attributable to the petitioner.

Learned APP for the State, however, submits that the petitioner is named in the First Information Report.

Be that as it may, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of eight weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the

like amount each to the satisfaction of learned S.D.J.M., Arwal (Jehanabad), in connection with Mehandia P.S. Case No. 108/14, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J.)

Rajesh/-

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