

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30074 of 2016

Arising Out of PS.Case No. -184 Year- 2014 Thana -DIDARGANJ District- PATNA

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1. Pyare Singh Yadav @ Ram Peyare Singh Yadav s/o Ram Pratap Singh
Yadav, resident of village- Sonawan, P.S.- Didarganj, Distt.- Patna
..... Petitioner

Versus

1. The State of Bihar
..... Opposite Party

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Appearance :

For the Petitioner : Mr. Prem Ranjan Kumar, Adv.
For the Opposite Party : Mr. Sadanand Paswan, APP 246

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 08-09-2016

Heard both the sides.

The petitioner apprehends his arrest in Didarganj P.S. Case No. 184 of 2014 under Sections 334, 386 and 302/34 of the Indian Penal Code and 2(v) and 3(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The learned counsel for the petitioner submits that the petitioner is of course named in the first information report, but, no specific allegation is made against the petitioner. The petitioner is alleged that he was also present at the time of assault made on the son of the informant by other accused persons. Similarly situated co-accused, Niranjn Singh Yadav, has already been granted anticipatory bail vide order, dated 23.04.2015, passed in Cr. Misc. No. 48226 of 2014 and the case of the petitioner stands on the same footing to that of Nirajnan Singh Yadav.

The learned Additional Public Prosecutor did not dispute the fact.

It appears that Rajdeo Singh Yadav and Bharat Singh Yadav, both sons of Niranjn Singh Yadav, Uttam Singh Yadav,

son of Lal Bihari Singh Yadav came and asked to open the door on which Anil Kumar Das, son of the informant, came out from the house. Lal Bihari Singh Yadav and Uttam Singh Yadav caught Anil Kumar Das and, thereafter, Bharat Singh Yadav and Randeo Singh Yadav assaulted Anil Kumar Das with dagger. Anil Kumar Das fled away, but, fell down after covering some distance. The informant and some others were also present at the place of occurrence. There is no specific allegation against the petitioner and petitioner was simply standing at some distance from the place of occurrence. The case of the petitioner stands on same footing to that of Niranjana Singh Yadav, who has already been granted anticipatory bail.

Considering the facts, aforesaid, the petitioner, above named, in the event of his arrest or surrender, within four weeks from the date of receipt of this order, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with the Didarganj P.S. Case No. 184 of 2014 to the satisfaction of Sri Sanjay Kumar, Judicial Magistrate, Patna City, Patna, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Prabhat Kumar Jha, J)

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