

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16556 of 2016

Arising Out of PS.Case No. -30 Year- 2015 Thana -ST/SC (HARIJAN) District- BHABHUA
(KAIMUR)

1. Keshav Singh @ Kesho Singh

2. Ashok Singh

Both son of late Parsuram Singh

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parwej Khan, Advocate

For the Opposite Party/s : Mr. Sadanand Paswan (Spl.App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 19-04-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 354, 504, 506 of the Indian Penal Code and section 3(1) (x) (xi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The prosecution case is that on 12.06.2015 at 12:00 AM, the informant was constructing the hut over his land when Ram Ekbal Singh came and started abusing by calling caste name and made assault. On alarm being raised Ramesh Ram and Malti Devi came to rescume but they were also assaulted by the accused

persons. Thereafter Ram Ekbal Singh went away from the place of occurrence and the informant came to his house but in the meantime Ram Ekbal Singh came again along with his brothers, the petitioners and co-accused Arvind Singh and started abusing by calling caste name and made assault.

It is submitted by learned counsel for the petitioners that accusation is omnibus and general and there is nothing on record to suggest that even any superficial injury was caused to the informant. Moreover, the thrust of accusation is against Ram Ekbal Singh. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent and for the occurrence of 12.06.2015 at 02:00 AM, the FIR was registered 13.06.2015, at 03:00 AM.

Considering the accusation being levelled in the background of land dispute and the thrust of accusation is against co-accused Ram Ekbal Singh, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Kaimur at Bhabua in

connection with SC/ST (Bhabua) P.S. Case No.30/2015, subject to
the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

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(Dinesh Kumar Singh, J)