

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6266 of 2016

Arising Out of PS.Case No. -204 Year- 2015 Thana -KRITYANAND NAGAR District- PURNIA

- =====
1. Ashok Rai Son of Sri Mainu Rai
 2. Dev Narayan Rai Son of Sri Mainu Rai
 3. Mainu Rai Son of Late Domi Rai
 4. Kailu Rai Son of Late- Fakir Rai,
- All residents of Village- Chanka, P.S.- K. Nagar, District- Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 09-02-2016

Heard learned counsels for the petitioners

and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 447, 341, 323, 354, 379, 504, 506/34 of the Indian Penal Code and 3(1)(iv)(xi) of SC/ST (Prevention of Atrocities) Act.

The prosecution case is that the accused persons forcibly ploughing the land of the informant. On protest being made the accused persons abused the informant by calling caste name and petitioner no. 1 Ashok Rai assaulted with lathi

on the leg of the informant when the informant became unconscious, thereafter all the accused persons assaulted with fists and slaps and snatched the mobile of the informant.

It is submitted by learned counsel for the petitioners that in the background of land dispute the accusation has been levelled and petitioner no. 3 purchased some land from the cousin father-in-law of the informant in 1987 and 1998 and in order not to allow the petitioners' side to cultivate the land and the present case has been lodged.

A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the specific accusation of assault against petitioner no. 1, let the learned court below consider the prayer for regular bail of petitioner no. 1, if he surrenders before the learned court below within a period of six weeks from today.

So far as petitioner nos. 2 to 4 are concerned, there is omnibus and general accusation of assault and the accusation has been levelled in the background of land dispute when for the occurrence of 07.05.2015 the FIR was registered on 10.05.2015, let the above named petitioner nos. 2 to 4 be released on anticipatory bail, in the event of arrest or

surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Purnea in connection with K. Nagar (Sri Nagar) P.S. Case No. 204 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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