

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4322 of 2019

Arising Out of PS. Case No.-89 Year-2012 Thana- SC/ST District- Gaya

1. SHEO NATH YADAV @ VISHWANATH YADAV Son of Rekha Yadav @ Rewa Yadav Resident of Village - Karmatand, P.S.- Fatehpur, Distt.- Gaya.
2. Lakhraj Yadav Son of Sohan Yadav Resident of Village - Karmatand, P.S.- Fatehpur, Distt.- Gaya.
3. Bachchu Yadav Son of Narayan Yadav Resident of Village - Karmatand, P.S.- Fatehpur, Distt.- Gaya.
4. Sukhdeo Yadav @ Sukhdeo Mahto Son of Somar Yadav Resident of Village - Karmatand, P.S.- Fatehpur, Distt.- Gaya.
5. Nando Yadav @ Nandu Yadav Son of Somar Yadav Resident of Village - Karmatand, P.S.- Fatehpur, Distt.- Gaya.
6. Baldeo Yadav Son of Puna yadav Resident of Village - Karmatand, P.S.- Fatehpur, Distt.- Gaya.
7. Pokhi Yadav Son of Uttam Yadav Resident of Village - Karmatand, P.S.- Fatehpur, Distt.- Gaya.
8. Kuleep Yadav @ Pulli Yadav Son of Barho Yadav Resident of Village - Karmatand, P.S.- Fatehpur, Distt.- Gaya.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Praveen Kumar
For the Respondent/s : Mr.Usha Kumari I

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 10-12-2019 By way of present appeal, appellants seek pre arrest bail in connection with SC/ST P.S. Case No. 89/2012 (corresponding to Trial No. 438/2018), registered for the offences punishable under Sections 147, 149, 323, 452, 380, 504 and 506 of the Indian Penal Code and Section 3(i)(iv)(v)(x)(xv) of the SC/ST Act.



Allegation against the appellants is of trying to dispossess the informant from his land and also of abusing him by caste name and of assaulting him.

Submission of learned counsel for the appellants is that as a matter the land in question was recorded in the name of one Wasim Ahmad and appellants have purchased the said land from the daughter in law of Wasim Ahmad and as there is civil dispute between the parties, taking advantage of the same, the informant has filed the present false case.

Learned Special P.P. opposed the prayer for anticipatory bail of the appellants.

Having heard both sides, considering the facts and circumstances of the case, this appeal is disposed of with direction to the appellants to surrender in the court below and pray for regular bail, which will be disposed of by the court below on the basis of above submission of learned counsel for the appellants as well as on the basis of materials available on record, if possible on same day, without being prejudiced by the order of this Court.

(Vinod Kumar Sinha, J)

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