

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.37783 of 2013**

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1. Md. Kutbuddin Son Of Salauddin Resident Of Village Mohan Badhiyam,  
P.S.-Sakri, District.-Madhubani

2. Azahar Alam Son Of Md. Rizwan Resident Of Village Mohan Badhiyam,  
P.S.-Sakri, District.-Madhubani

3. Md Chutar Son Of Md. Almgir Resident Of Village Mohan Badhiyam,  
P.S.-Sakri, District.-Madhubani

4. Md. Rukumuddin Son Of Late Kaseem Resident Of Village Mohan  
Badhiyam, P.S.-Sakri, District.-Madhubani

5. Md. Taufique Son Of Md. Ayub Resident Of Village Mohan Badhiyam,  
P.S.-Sakri, District.-Madhubani,

.... .... Petitioners

Versus

The State Of Bihar ...

..

.... .... Opposite Party

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**Appearance :**

For the Petitioners : Mr. Gagan Deo Yadav, Advocate

For the Opposite Party : Mr. Ram Shankar Das, A.P.P.

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**CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN**  
**ORAL ORDER**

2      24-12-2013              Heard learned counsel for the petitioners and none  
appears on behalf of the State.

Petitioners apprehend their arrest in connection with a  
case registered for offence punishable under Sections 341,  
323, 379, 504, 506, 354, 427, 34 of the Indian Penal Code and  
section 3(x) of the Scheduled Castes and Scheduled Tribes  
Act.

As per the allegation set up in the first information  
report, the petitioners insulted the informant who was running  
a PDS shop by taking his name in abusive language.

It is submitted on behalf of the petitioners that the



informant is a PDS dealer and due to non-supply of PDS articles some dispute arose and altercation took place. The petitioners have brought on record Annexure 2 which is a complaint filed by several persons of the village addressed to the Sub-Divisional Officer, Madhubani regarding their grievance that neither the coupons were being given to them nor were PDS articles being distributed to them by the PDS dealer. It is further submitted that due to some dispute with regard to distribution of foodgrains by the PDS dealer the dispute has arisen and provision of the Scheduled Castes and Scheduled Tribes Act appears to be a super addition merely on the ground that the informant happens to be a member of the Scheduled Caste. Learned counsel places reliance in this regard upon a decision of a Single Bench of this Court rendered in **Sajjo and others v. Nibula Sah and others [2010 BCCR 10(Patna)]**.

Having regard to the facts and circumstances of the case, let the petitioners, namely, Md. Kutbuddin, Azahar Alam, Md. Chutar, Md. Rukumuddin and Md. Taufique, be released on bail in the event of arrest/surrender before the court below within a period of six weeks from today in Sakri P.S. Case No. 177 of 2012, on furnishing bail bonds of

Rs.10,000(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Madhubani, subject to the conditions as laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure.

Accordingly, this application is allowed.

**(Dr. Ravi Ranjan, J)**

SC/-