

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4603 of 2015

Arising Out of PS.Case No. -40 Year- 2014 Thana -MADHEPUR District- MADHUBANI

1. Md. Nasir
2. Md. Basir.
3. Md. Allauddin.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Bilash Roy Raman

For the Opposite Party/s : Mr. Ram Shankar Das(Spl.P.P.)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-02-2015

Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323 and 427/34 of the Indian Penal Code and Section 3 (I) (X) of the SC/ST (Prevention of Atrocities) Act.

It is alleged that the petitioners wanted to get the name of the minor included in the voter list and when request of the petitioners was not accepted by the informant being the Panchayat Teacher-cum-Booth Level Officer, then he was being assaulted and abused by calling caste name.

It is submitted by learned counsel for the petitioners that superficial and simple injury of swelling and pain have been found when the petitioners' side also lodged a case against the informant being Complaint Case No. 203 of 2014. From the

averment made in the FIR, no offence under SC/ST Act is made out. A statement has been made in para 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners 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) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Jhanjharpur, Madhubani in connection with Madhepur P.S. Case No. 40 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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