

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17148 of 2015

Arising Out of PS.Case No. -9 Year- 2013 Thana -SC/ST District- SAHARSA

- =====
1. Sheo Kumar Yadav, son of Anandi Yadav, resident of village - Menha, P.S. – Bihra, District – Saharsa.
 2. Pravin Yadav @ Pavin Kumar Yadav, son of Jagarnath Yadav
 3. Robin Yadav, son of Jagarnath Yadav
- Both resident of village – Dumma, P.S. – Bihra, District – Saharsa.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Ambika Bhagat(Spl. P.P.)

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH
ORAL ORDER

2 08-06-2015 The petitioners apprehend their arrest in relation to Saharsa (SC/ST) P.S. Case No. 9/2013 registered under Sections 379, 504, 506, 323, 341 of the Indian Penal Code and Section 3(1)(X) of SC/ST (Prevention of Atrocities) Act.

Learned counsel for the petitioners submits that initially the case was lodged as a complaint case two months after the alleged occurrence. There is no explanation for the delay. It was then sent to be registered as a police case and thereafter the petitioners having come to know about the case and then move for bail in anticipation of arrest which are rejected by the learned

Sessions Court.

Learned Court for the petitioners points out that there is no explanation for the delay and in fact the case has been lodged at the instance of father-in-law of petitioner no. 1. The provision of SC/ST have been introduced only to ensure that petitioners are physically arrested and humiliated. No villager would keep up the sale proceeds of sale of his cow worth Rs. 15,000/- was taken away.

Be that as it may, in the event of their arrest/surrender before the court below within four weeks, let the petitioner, namely, Sheo Kumar Yadav, Pravin Yadav @ Pavin Kumar Yadav and Robin Yadav, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saharsa, in connection with Saharsa (SC/ST) P.S. Case No. 9/2013, subject to condition laid down under Section 438 (2) of the Code of Criminal Procedure.

Rajeev/-

(Navaniti Prasad Singh, J.)

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