

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20373 of 2015

Arising Out of PS.Case No. -52 Year- 2014 Thana -AGIAUN BAZAR District- BHOJPUR

Tuna Upadhaya S/o Suka Upadhaya Resident of Village Angar, P.S. Agiaon Bazar, District Bhojpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.21058 of 2015

Arising Out of PS.Case No. -52 Year- 2014 Thana -AGIAUN BAZAR District- BHOJPUR

Tej Narain Upadheya@ Nanhkai Upadheya Son of Bihari Upadhyay, Resident of Village - Angora, Police Station - Agiaon bazar, District - Bhojpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 24-09-2015 Since both applications arise out of Agiaon Bazar P.S. Case no. 52 of 2014, they have been heard together and are being disposed of by this common order.

Petitioners are apprehending their arrest in connection with Agiaon Bazar P. S. Case no. 52 of 2014 registered under Sections 341, 323, 325, 504, 506 and 34 of the Indian Penal Code and 3 (1) (x) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case on account of some hot discussions with regard to election of PACS,

which is evident from the F.I. R. itself. Learned counsel further submits that allegations made against the petitioners are under bailable sections. So far as the allegation made under the SC and ST Act is concerned, the petitioners cannot be brought to book in view of the fact that the occurrence did not take place in public view as has been alleged and there is no independent witness to support the allegation.

Considering the aforementioned facts and circumstances and also the fact that petitioners have no criminal antecedents, let petitioners above named, in the event of arrest or surrender within a period of three weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur, Ara, in connection with Agiaon Bazar P. S. Case no. 52 of 2014 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

sudip/-

U		T	
---	--	---	--