

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19457 of 2015

Arising Out of PS.Case No. -265 Year- 2012 Thana -KADWA District- KATI HAR
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1. Usman @ Usman Gani son of Hamdul
2. Haider @ Gholam Haider, Son of Hamdul
3. Mansoor, Son of Hamdul
4. Bholuwa @ Alam Son of Hamdul
5. Arsad @ Arshad Hussain, Son of Aaiyub, all are resident of village-
Samanpur, P.S.- Balia- Belone (Kadwa, District- Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s
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Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad
For the Opposite Party/s : Mr. Sadanand Paswan (Spl.App)
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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 23-07-2015 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor appearing on behalf of the State.

This is an application seeking anticipatory bail in a case
registered for the offences punishable under Sections
143,341,323,324,504/34 of the Indian Penal Code and Section 3(i)
(X) of the Scheduled Caste and Schedule Tribe (Prevention of
Atrocities) Act.

Learned counsel appearing on behalf of the petitioners
submits that there is no specific allegation against a particular
person of alleged assault upon the informant. He has further
submitted that the injury has been found to be simple and no case

is made out under Section 307 of the Indian Penal Code. He further contends that no case is made out under Section 3(i) (X) of the Scheduled Caste and Schedule Tribe (Prevention of Atrocities) Act as the occurrence is not alleged to have taken place in public view. The petitioners have no criminal antecedent.

In view of the submissions as above, let petitioners above named in the event of their arrest/surrender within four weeks from today in the court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar in Kadwa (Balia-Belone) P.S. Case No. 265 of 2012, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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