

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19711 of 2015

Arising Out of PS.Case No. -55 Year- 2014 Thana -SC/ST District-
MADHUBANI

- =====
1. Ram Sundar Chaudhary son of late Sonai Chaudhary
 2. Bachche Lal Chaudhary son of late Sukh Deo Chaudhary
 3. Abadh Chaudhary @ Abodh Chaudhary son of late Sukh Deo Chaudhary
 4. Rajesh Kamat @ Rajesh Chaudhary @ Rajesh Kumar Kamat son of Raj Kumar Chardhary
 5. Kamla Devi @ Kamali Devi wife of Ram Bilas Chaudhary
 6. Ranju Devi wife of Binod Chaudhary
 7. Deo Sundari Devi @ Dev Sundari Chaudhary wife of Ram Sundar Chaudhary all are resident of Village- Tenuahi, P.S.- Ladniya, District-Madhubani.

.... Petitioners.

Versus

The State of Bihar Opposite Party.

=====

Appearance :

For the Petitioner/s : Mr. Gopal Jha, Advocate.

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

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 25-06-2015 Heard learned learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners are apprehending their arrest in connection with Madhubani SC/ST P.S. Case No. 55/2014 corresponding to G.R. No. 2532/014 for the offences punishable under Sections 147, 149, 341, 323, 354 (B), 379, 504 of I.P.C. and 3 (i) (X) of SC/ST Act pending in the Court of learned A.C.J.M., Madhubani.

Allegedly, when the informant was at her house, the accused persons alongwith the petitioners being armed with Lathi, Danda came there and started to abuse her and when she came out from her house then she was assaulted by them and she was nacked after pulling her sari and after alarm

being raised, her husband, son and daughter came to save her then they were also assaulted by the petitioners. They uttered caste of the informant and after entering into the house they took away box, cloths and ornaments and also cash of Rs. 15,000/- further nose pin and chain were also snatched.

Submission is of false implication and that the land is Khatiyani land of the petitioners and to grab the land, the informant has lodged this false case and no offence under Section 354 (B) of I.P.C. is made out. The petitioners are respectable persons and as such, they deserve sympathetic consideration to which the learned A.P.P. opposes by submitting that anticipatory bail petition is not maintainable as it is barred under S.C./S.T. Act.

This Court is not inclined to grant the privilege of pre-arrest bail to petitioners no. 1 to 4 and accordingly their prayer stands rejected. However, the petitioners No. 5 to 7 namely, Kamla Devi @ Kamli Devi, Ranju Devi and Deo Sundari Devi @ Dev Sundari Chaudhary are directed to surrender in the Court below and shall seek regular bail and in that case they shall be enlarged on regular bail on execution of bail-bond to the satisfaction of the learned Court below itself.

(Jitendra Mohan Sharma, J.)

Kamlesh/-

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