

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26222 of 2014

Arising Out of PS.Case No. -29 Year- 2013 Thana -KUNALI District- SUPAUL

- =====
1. Rup Narayan Yadav son of Gangay Yadav
2. Yukti Narayan Yadav son of Gangay Yadav Both residents of village -
Rajpur, Police Station - Kunauli, (Dagmara O.P.), District - Supaul

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

6 09-01-2015 Heard learned counsel for the petitioners and learned
counsel representing the State.

Supplementary affidavit has been filed by the
learned counsel for the petitioners after serving the copy to the
learned APP annexing the copy of the compromise petition filed
before the learned court below which has been taken on record.

The petitioners apprehend their arrest in connection
with Kunauli (Dagmara) P.S. Case No. 29 of 2013 registered for
the offences punishable under Sections 147, 148, 149, 341, 323,
379, 467, 504 of the Indian Penal Code and Sections 3(i) (x) of
the SC/ST (Prevention of Atrocities) Act.

Allegedly, the petitioners and other FIR named

accused persons being armed started abusing the informant using his caste name and further the petitioner no. 2 after pressing his neck with towel abused and caused threats to kill him and further tried to take signature on stamp paper and when his wife came for rescue, she was also assaulted.

Submission is that under the changed circumstances as the case has been compromised the petitioners deserve sympathetic consideration and further no offence under the provisions of SC/ST (Prevention of Atrocities) Act is made out from the plain reading of the FIR itself to which the learned APP does not dispute.

In the facts and circumstances stated above the petitioners above named are directed to surrender before the court below and seek regular bail with compromise petition and the learned court below after ascertaining the genuineness of the compromise petition shall pass appropriate order on the same day.

Accordingly, this application stands disposed of with the aforesaid observations.

(Jitendra Mohan Sharma, J)

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