

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25885 of 2015

Arising Out of PS.Case No. -451 Year- 2014 Thana -BARHARIA District- SIWAN

- =====
1. Sumitra Devi, wife of Anil Sharma @ Dhrup Sharma,
 2. Shambhu Sharma
 3. Sunil Sharma
 4. Sushil Sharma @ Sushil Kumar Sharma All sons of Dharm Nath Sharma
 5. Dharm Nath Sharma, Son of Late Brahmdeo Sharma,
- All resident of village- Balapur, Police Station- Barharia, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad
For the Opposite Party/s Mr. Ambika Bhagat(Spl.App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

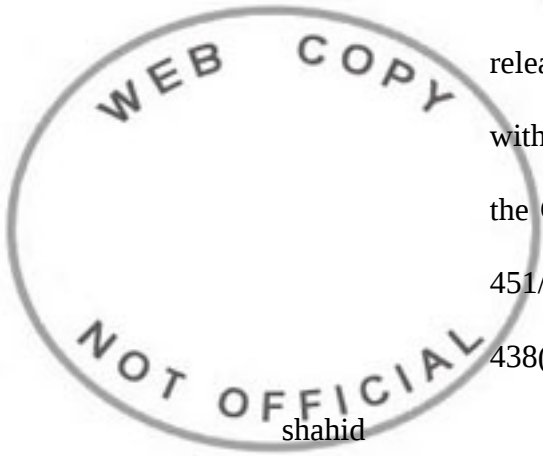
02/ 27.07.2015 Heard learned counsel for the petitioners as well as
learned Addl. Public Prosecutor for the State.

Admittedly, case has been registered under section 3
(I) (X) of the SC/ST (Prevention of Atrocities)Act as well as
sections 341, 323, 379 and 504/34 of the Indian Penal Code.

The contention on behalf of the petitioners is that
provisions of section SC/ST (Prevention of Atrocities)Act are
inapplicable in the present case as according to the prosecution
case itself, alleged occurrence is said to have taken place at the
door of the petitioners which is not a public place and therefore,
the aforesaid fact goes to show that the informant was not
humiliated in the public view.

Accordingly, it is ordered that in the event of arrest/

surrender within four weeks from the date of receipt of this order to the concerned court, let the above named petitioners be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Siwan in Barharia P.S. Case no. 451/2014 subject to condition as laid down under section 438(2) of the Cr.P.C.



(Hemant Kumar Srivastava,J)

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