

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30803 of 2015

Arising Out of PS.Case No. -12 Year- 2015 Thana -PANCHRUKHI District- SIWAN

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1. Afzal Son of Mogal
2. Ahsan Son of Imam Hasan Both Resident of village - Baishakhi, P.S.
Pachrukhi (Sarai O.P.), Distt. - Siwan

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. Sadanand Paswan (Spl. Pp)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 12-08-2015 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with a case registered for the offences punishable under Sections 448, 341, 323, 324 of the Indian Penal Code and Section 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Learned counsel for the petitioner submits that the present allegation as levelled against these petitioners have been occasioned on the account of the fact that there was dispute regarding use of passage. It is submitted that the injury report clearly reveals that the nature of allegations are false as the abrasion which has been described in the said report cannot be

caused by a sharp cutting knife. Learned counsel also submits that the incident have taken place at the doorstep of the informant as per her version which cannot not be a public place so as to attract the provisions of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Considering the aforementioned submission and also the fact that the petitioners have no criminal antecedent, let the petitioners above named, in the event of their arrest / surrender within a period of three weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the each amount to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Pachrukhi (Sarai) P.S. Case No. 12/2015 subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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