

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32943 of 2015

Arising Out of PS.Case No. -12 Year- 2015 Thana -SC/ST District- SHEOHAR

1. Daresh Rai @ Ram Daresh Rai
2. Lal Babu Rai
3. Umesh Rai @ Unehs Rai
All sons of Shobhit Rai, Resident of Village- Mohanpur,
P.S.- Piprahi, District-Sheohar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Sadanand Paswan(Spl.PP)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 20-08-2015 Heard learned counsel for the petitioners and the
learned counsel for the State.

The petitioners are apprehending their arrest in
connection with Sheohar S.C./S.T. P.S. Case No.12 of 2015 for
allegedly having committed the offences under Section 341,
323, 354, 504/34 of the Indian Penal Code and Section
3(i)(x)(xi) of the S.C./S.T. (Prevention of Atrocities) Act.

Learned counsel for the petitioners submits that the
present case has been lodged out of personal vendetta by one
Kapildeo Rai, who has been on inimical terms with these
petitioners, and one Suresh Rai, who has since died. Learned
counsel for the petitioners submits that the informant of the

present case is a worker of Kapildeo Rai, who has been set up by him to malign these petitioners only because of the fact that they have lodged case against him earlier.

So far as the allegations made with regard to the provisions of Section 3(x) of the S.C./S.T. Act are concerned, learned counsel for the petitioners submits that the occurrence is said to have occurred in the field of said Kapildeo Rai and witnessed by some others, but none of these witnesses have subscribed their signatures to the F.I.R. of the present case. Learned counsel submits that the provisions of S.C./S.T. Act have been introduced only to harass these petitioners and put them behind bars on account of earlier case filed by them and the allegation of using caste name is also of mere embellishment in the F.I.R.

Considering the aforementioned submissions and the fact that the petitioners have been on litigating terms and have got no criminal antecedents, let all the three petitioners, above named, in the event of their arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the

learned Chief Judicial Magistrate, Sheohar, in connection with Sheohar S.C./S.T. P.S. Case No.12 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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