

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32342 of 2015

Arising Out of PS.Case No. -64 Year- 2015 Thana -BIRPUR District- SUPAUL

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1. Chhutaharu Yadav Son of Dallu Yadav
 2. Dineshwer Yadav Son of Dallu Yadav
 3. Kameshwer Yadav Son of Dallu Yadav
 4. Dhirendra Yadav Son of Dallu Yadav
 5. Birendra Yadav Son of Chhutaharu Yadav
 6. Arbind Yadav Son of Dineshwer Yadav
 7. Pramod Yadav alias Pramod Kumar Yadav Son of Dineshwer Yadav
 8. Arjun Yadav Son of Dineshwer Yadav
 9. Bijay Yadav alias Bijay Kumar Yadav Son of Satya Narain Yadav All are R/o Banailipatti, P.S. Birpur, Distt. - Supaul

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh
For the Opposite Party/s : Mr. Sadanand Paswan(Spl.Pp)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 13-08-2015 Heard learned counsel for the petitioners and learned Additional Public Prosecutor appearing on behalf of the State.

This application for grant of anticipatory bail arises out of Birpur P.S. case No. 64 of 2015, disclosing offences under Sections 147, 149,323,448,427,379,504 of the Indian Penal Code and Section 3 (1) (x) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act.

Learned counsel appearing on behalf of the petitioners submits that labelling of Section 3(1) (x) of the Scheduled Caste

and Scheduled Tribe (Prevention of Atrocities) Act as in the First Information report is ornamental in nature and no offence is made out under the said Section. He further submits that civil dispute is the reason behind the institution of the First Information Report.

In view of the submissions as above, this application is accordingly, allowed. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks, 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 learned Sub Divisional Judicial Magistrate, Birpur (Supaul) in Birpur P.S. Case No. 64 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present themselves before the Police/Court, as the case may be, and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall liable to be cancelled.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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