

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39084 of 2015

Arising Out of PS.Case No. -1706 Year- 2012 Thana -COMPLAINT CASE District- JAMUI

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1. Kanchan Devi W/o Balram Singh
 2. Balram Singh S/o Late Ram Kishore Singh
 3. Abhishek Singh S/o Balram Singh
 4. Abhinay Singh S/o Balram Singh
 5. Abhijit Singh S/o Balram Singh, All are R/o Village Pipradih, Jhajha, P.S. Jhajha, District Jamui.

.... Petitioners

Versus

1. The State of Bihar.
2. Tinku Kumar Paswan S/o Late Shambhu Paswan R/o Ambedkar Nagar, Ward No. 6, P.S. Jhajha, District Jamui.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Nand Kishore Pd., APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL ORDER

2 28-09-2015 Heard learned counsel for the petitioners and learned Assistant Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Complaint Case No. 1706-C of 2012, disclosing offences under Sections 341, 323, 504 and 34 of the Indian Penal Code and Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

I find substance in the submission made on behalf of the petitioners that no offence under Section 3(1)(x) of the SC

and ST (Prevention of Atrocities) Act, prima facie, is made out and the occurrence of calling the complainant by his caste name did not take place in public view.

Considering the nature of allegation and other submission made on behalf of the petitioners, this application is allowed.

Let the petitioners above named, in the event of their arrest or surrender before the Court below within six weeks from today, 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 Sri Amit Kumar Singh, learned Judicial Magistrate 1st Class, Jamui in Complaint Case No. 1706-C of 2012, 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 petitioners 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 be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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