

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42525 of 2015

Arising Out of PS.Case No. -41 Year- 2015 Thana -DHANGAI District- BHOJPUR

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1. Barak Keshari
2. Umesh Keshari
Both are S/o Ramjee Keshari,
3. Sanni Keshari
4. Tutu Keshari
Both are S/o Babua Keshari
All are resident of village-Dalip Pur, P.S.- Dhangai, Dist- Bhojpur
.... Petitioners

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh, Advocate

For the Opposite Party/s : Mr. Sadanand Paswan, Spl. PP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 13-10-2015

Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection
with Dhangai P.S. Case No. 41/15 registered under Sections
341, 323, 324, 325/34 of the Indian Penal Code and 3(1)(x) of
the Scheduled Castes & Scheduled Tribes (Prevention of
Atrocities) Act.

It is contended that even if the entire allegations
made in the FIR are taken to be true, the ingredients of the

offence punishable under Section 3(1) (x) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, would not be attracted. It is further contended that there is a case and counter case and, subsequently, due to intervention of well-wishers of both the sides, the parties entered into compromise.

Learned counsel for the State has opposed the application filed on behalf of the petitioners. He has submitted that the offences alleged in the FIR are not compoundable in nature.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within six weeks from today, the petitioners are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Dhangai P.S. Case No. 41 of 2015 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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