

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52093 of 2014

Arising Out of PS.Case No. -206 Year- 2013 Thana -LAXMIPUR District- JAMUI

Manoj Yadav

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.52103 of 2014

Arising Out of PS.Case No. -206 Year- 2013 Thana -LAXMIPUR District- JAMUI

Sarju @ Suraj Yadav @ Sarjug Yadav

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.52093 of 2014)

For the Petitioner/s : Mr. Rakesh Kumar Sinha

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

(In Cr.Misc. No.52103 of 2014)

For the Petitioner/s : Mr. Rakesh Kumar Sinha

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-01-2015 Heard learned counsels for the petitioner and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 337 and 504 of the Indian Penal Code Section 3 (I) (X) of the SC/ST (Prevention of Atrocities) Act.

The prosecution case is that the accused persons came to the informant's door, abused the informant when Kamleshwari Yadav assaulted the informant with lathi. It is alleged against the

petitioner Manoj Yadav that he pushed the informant whereas no specific accusation has been levelled against the petitioner Suraj Yadav when other accused persons also made assault with fists and slaps and when the brother of the informant came to rescue then bricks and stones were pelted as a result of which he also received injury.

It is submitted by learned counsel for the petitioner that no specific accusation has been alleged against these petitioners whereas main accused Kamleshwari Yadav and Sankar Yadav have been granted regular bail by the learned court below. Moreover, the offence has been committed on the door of the informant which is admittedly not a place of public view.

Considering the fact that co-accused Kamleshwari Yadav and Sankar Yadav have been granted regular bail by the learned court below, this Court finds no reason for the learned court below not to consider the regular bail application of the petitioners if they surrender within a period of six weeks in connection with Laxmipur (Gidhor) P.S. Case No. 206 of 2013 pending in the court of learned J.M., 1st Class, Jamui.

Accordingly, the applications are disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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