

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51489 of 2014

Arising Out of PS.Case No. -408 Year- 2014 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

- =====
1. Sunil Kumar Singh Son of Sri Ramji Singh
 2. Umesh Singh Son of Sri Ramji Singh
 3. Nihal Singh Son of Sri Umesh Singh
 4. Ramji Singh Son of Late Jad Singh All the Petitioners are resident of village + P.O. Sadokhar, P.S. Chenari, District - Rohtas

.... Petitioner/s

Versus

1. The State of Bihar
2. Badami Devi, wife of Shesh Nath Ram, Resident of village+P.O.- Sadokhar, P.S. Chenari, District- Rohtas.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishor Singh
For the State : Mr. Sadanand Paswan(Spl.P.P.)

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 19-08-2015 Heard learned counsel for the petitioners and learned
counsel for the State. Despite valid service of notice, the opposite
party no.2 has chosen not to appear before the Court.

The petitioners seek anticipatory bail in connection
with Complaint Case No. 408 of 2014 registered for the offences
punishable under sections 323, 342 read with 34 of the Indian
Penal Code and 3(1)(x) of the Scheduled Castes and the
Scheduled Tribes (Prevention of Atrocities) Act, 1989.

It is contended that even if the allegations made by
the complainant in her statement made on oath is taken to be true,
the ingredients of the offence punishable under section 3(1)(x) of

the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act would not be attracted as the alleged occurrence is said to have taken place inside the house which could not be said to be a place within the public view.

Learned counsel for the State concedes to the prayer made by the learned counsel for the petitioners.

Regard being had to the nature of allegation, in the event of arrest or surrender before the court below within four weeks from today, the petitioners, namely, (1) Sunil Kumar Singh, (2) Umesh Singh, (3) Nihal Singh and (4) Ramji Singh are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sasaram, Rohtas in connection with Complaint Case No. 408 of 2014, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Pradeep/-

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