

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51717 of 2015

Arising Out of PS.Case No. -291 Year- 2014 Thana -BHOJPUR COMPLAINT CASE District-
BHOJPUR

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1. Jai Prakash Singh son of Hridya Singh,
2. Muna Singh son of Jai Prakash Singh
Both are residents of village- Sahjahanpur, P.S.- Krishnagarh,
District- Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar.
2. Phuljharo Kunwar, wife of Late Khalifa Dusadh resident of village-
Sahjahanpur, P.S.- Krishnagarh, District- Bhojpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate
For the Opposite Party/s : Mr. Ambika Bhagat, Spl.APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 09-11-2015 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection with
Trial No.4068 of 2014 arising out of Complaint Case No.291(C)
of 2014 registered under Sections 323/34 of the Indian Penal Code
and Section 3(v)(xi)(xv) of the Scheduled Castes and Scheduled
Tribes (Prevention of Atrocities) Act, 1989.

It is contended that for an occurrence which is said to
have taken place on 10.12.2006, an FIR was instituted on
21.12.2006. On completion of investigation, the allegations made
in the FIR were found to be false. Accordingly, final report no.10
of 2007 dated 25.3.2007 was filed in the court of Chief Judicial
Magistrate, Bhojpur at Ara. The informant had filed a protest

petition while the investigation was going on in the police case. On receipt of final report, the learned Magistrate accepted the final report and directed the protest petition to be registered as a complaint pursuant to which Complaint Case No.291(C) of 2014 was registered and after conducting enquiry summonses were issued against the petitioners vide order dated 1.7.2014.

Learned counsel for the State has opposed the application filed on behalf of the petitioners.

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 above named petitioners are directed to 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 Manoj Kumar, Judicial Magistrate, 1st Class, Bhojpur at Ara in connection with Trial No.4068 of 2014 arising out of Complaint Case No.291(C) of 2014 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Md.S./-

(Ashwani Kumar Singh, J)

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