

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51398 of 2015

- =====
1. Ashok Kumar Srivastava
 2. Vevek Kumar Srivastava @ Guddu
 3. Yogendra Bind @ Bhushan Bind.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-11-2015

Heard learned counsels for the petitioner and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 147, 149 and 307 of the Indian Penal Code and Section 3 (I) (V) of the SC/ST (Prevention of Atrocities) Act.

The prosecution case is that the accused persons made assault with fists and slaps, abused by calling caste name and tried to throttle the informant.

It is submitted by learned counsel for the petitioners that there is no injury caused to the informant. For the occurrence of 09.03.2015, the FIR was lodged on 30.04.2015. Earlier also, the informant filed Bhabhua SC/ST P.S. Case No. 45 of 2012 with similar accusation wherein on conclusion of the investigation, the police submitted final form which was accepted but subsequently

on protest cognizance was taken against the petitioners but in pursuance to the revisional order, the order of learned Magistrate was set aside and revisional order is under challenge in a quashing application.

It is submitted by learned counsel for the informant that the accusation is specific against the petitioners and since in the earlier case final form was submitted, hence, the accused persons got involvement.

Considering the delayed lodging of the case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Kaimur at Bhabua in connection with Bhabua SC/ST P.S. Case No. 25 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Amrendra/-

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(Dinesh Kumar Singh, J)