

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52091 of 2015

Arising Out of PS.Case No. -15 Year- 2015 Thana -SHEKHPURA District- SEKHPURA

1. Dharmveer Yadav, Son of Bachu Yadav
2. Anil Yadav, Son of Dangal Yadav.
Both residents of Village- Kare, P.S. Sheikhpura, District- Sheikhpura

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap

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

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 01-12-2015 Heard Sri Ashok Kumar Kashyap, learned counsel for

the petitioners and Sri Sadanand Paswan, learned Special Public

Prosecutor.

Two petitioners, who are in custody since 21.1.2015 in
connection with Sheikhpura P.S. Case No. 15 of 2015, registered
for the offence punishable under Section 307 and other allied
Sections of the Indian Penal Code, Section 27 of the Arms Act
and Section 3(R)(S) of the Scheduled Castes and Scheduled
Tribes (Prevention of Atrocities) Act, 1989 have prayed for grant
of bail.

It was submitted by learned counsel for the petitioners
that there is allegation against the petitioners that they were
members of the mob. However, accusation of firing was made

against the co-accused Dani Yadav. Save and except the allegation of being member, there is no other accusation against the petitioners.

Learned Special Public Prosecutor while opposing the prayer for bail has argued that the petitioners in the occurrence had used abusive language attracting the provisions of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989, and as such, he opposes the prayer for bail.

Keeping in view the fact that there is allegation that petitioners were only members of the mob and no overt act has been attributed against the petitioners, save and except accusation of using abusive language as well as the fact that the petitioners are in custody since January, 2015, let both the petitioners, namely Dharmveer Yadav and Anil Yadav be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura, in connection with Sheikhpura P.S. Case No. 15 of 2015.

(Rakesh Kumar, J)

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