

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5343 of 2015

Arising Out of PS.Case No. -99 Year- 2014 Thana -TRIVENIGANJ District- SUPAUL

=====

1. Md. Subhan @ Subhan Son of Md. Rozi Mian @ Md.Rozit
2. Md.Rozi Mian @ Md.Rozit S/O Late Alizan Both are residents of
village-Kumiyahi(Karharwa)P.S-Triveniganj, Distt.- Supaul

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh, Advocate.

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

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 09-02-2015

Heard both sides.

The petitioners apprehend their arrest in Triveniganj
P.S. Case No. 99 of 2014, registered for the offences punishable
under Sections 379, 323 and other Sections of the Indian Penal
Code and Section 3 (i)(x) of the SC/ST Act.

Rekha Devi the informant made allegation against the
petitioners that while she was selling vegetables in the market
along with her sister-in-law Samtoliya Devi, the petitioners and
others purchased vegetables and on pretext of paying the price,
they not only abused the informant by naming her caste, but also
assaulted the informant and her sister-in-law.

Learned counsel for the petitioners submits that the

petitioners belong to some other village. The petitioners did not know the name of the informant and her caste. Therefore, no question arose of abusing the informant by naming her caste. The case has been compromised.

On the other hand, learned counsel for the informant submits that the police after investigation submitted charge sheet under Section 3(i)(x) of the SC/ST Act and other Sections of the Indian Penal Code.

On considerations of the facts, it appears that there is very specific allegation against the petitioners that they not only abused the informant and her sister-in-law in market, but also assaulted her, hence, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

However, the petitioners, if so advised, may surrender before the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail and his prayer shall be considered on the same day on its own merit without being prejudiced by this order.

(Prabhat Kumar Jha, J.)

KKSINHA/-

U		T	
---	--	---	--