

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.38852 of 2014**

Arising Out of PS.Case No. -60 Year- 2014 Thana -SC/ST PS District-  
EASTCHAMPARAN(MOTIHARI)

- =====
1. Dharmendra Singh S/o Ram Singh
  2. Mukesh Singh S/o Nawal Singh
  3. Vinod Singh
  4. Pramod Singh Both S/o Late Rikhdeo Singh All R/o Village Jhakhara,  
P.S. Govindganj, District East Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dhannjay Kumar No 2

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

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN  
SHARMA**  
ORAL ORDER

2      01-04-2015                      Heard learned counsel for the petitioners as well as  
  
learned counsel for the State.

It is submitted that petitioner no.2 Mukesh Singh has  
  
been arrested and as such his prayer for bail may be permitted to  
  
be withdrawn.

Prayer is allowed and this application as against  
  
petitioner no.2 is dismissed as withdrawn.

In this application for anticipatory bail the petitioners  
  
apprehend their arrest for the offences punishable under sections  
  
147, 341, 323, 504 and 379 of the I.P.C and sections 3 (1) (i) (x)  
  
of SC/ST (P.O.A.) Act.



Allegedly, when the informant with his nephew was returning to his home on motorcycle from Areraj market after purchasing clothes for the marriage of his younger brother and as soon as they reached near the Panchayat Bhawan and Primary School all the accused persons including petitioners being armed with pistol and knife surrounded them and assaulted with fists and slaps to the informant and his nephew and further abused by taking caste name. Petitioner no.1 committed theft of Rs. 25,000/- from the pocket of the informant and petitioner no.2 committed theft of Rs. 1,800/- from the pocket of Rahul Kumar and rest of the accused persons took out bundle of clothes kept in the carrier of motorcycle.

Submission is that there is no specific accusation against the petitioners and the offence under SC/ST Act was not made out. The occurrence took place not in a public view and as such the petitioners deserve sympathetic consideration as no injury has been caused, to which the learned Special P.P. opposes.

Considering the nature of accusation and further that no substantial injury has been caused and the petitioners have got no criminal antecedents, in my view this is a fit case for regular bail and as such the petitioner no. 1, Dharmendra Singh, petitioner 3, Vinodh Singh and petitioner no.4, Pramod Singh are directed to

surrender within a period of six weeks and seek regular bail in connection with SC/ST (Motihari) P.S. Case No. 60 of 2014/ GR No. 2158 of 2014 pending in the court of C.J.M. Motihari, East Champaran and then their prayer for bail shall be considered accordingly.

With these observations this application stands disposed of.

**(Jitendra Mohan Sharma, J)**

Abhay/-

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