

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22452 of 2015

Arising Out of PS.Case No. -268 Year- 2013 Thana -COMPLAINT CASE District- SUPAUL

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1. Damodar Mishra
 2. Lamboder Mishra both are sons of Late Shyam Sunder Mishra
 3. Bablu Mishra
 4. Pinku Mishra both are sons of Damodar Mishra all are residents of Village - Madhubani, Police Station - Balua Bazar (Lalit Gram), District - Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Shiv Dayal Paswan son of Late Adhik Lal Paswan resident of village - Madhuwani Ward No. 2, Police Station - Balua Bazar, District - Supaul.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun, Adv.

For the Opposite Party/s : Mr. Ambika Bhagat(Spl.App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-07-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 323 and 504 of the Indian Penal Code.

Initially, the FIR was lodged under Sections 341, 323, 379 and 504/34 of the IPC and Section 3 (I) (X) of the SC/ST (Prevention of Atrocities) Act where it was alleged that on 29.07.2012, the petitioners came and asked the informant to work as a labour and on refusal of the same due to non-payment of earlier wages, the informant was abused by calling caste name,

assaulted and ₹3,000/- was snatched. On conclusion of the investigation, police found the accusation false and submitted final form by not sending the petitioners for trial, thereafter on protest, the cognizance was taken.

It is submitted by learned counsel for the petitioners that during investigation, the accusation was not found true.

The aforesaid fact constitutes good ground for consideration of prayer for regular bail.

Let the learned court below consider the prayer for regular bail of the petitioners if they surrender within a period of six weeks in connection with Complaint Case No. 268C of 2013 pending in the court of learned JM, 1st Class, Supaul.

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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