

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43212 of 2014

Arising Out of PS.Case No. -30 Year- 2014 Thana -SAHPUR District- PATNA

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1. Chhotu Yadav Son of Hajari Yadav
 2. Munna Yadav Son of Jawala Prasad Yadav
 3. Daroga Yadav Son of Late Krishna Rai
 4. Bhima Yadav Son of Late Satyanarayan Yadav All are resident of village
- Jamaluddin Chowk, P.S. - Shablpur, Dist. - Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rathore Vasundhara

For the Opposite Party/s : Mr. Ram Shankar Das (Spl.Pp)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 16-04-2015 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

In this application for pre-arrest bail, the petitioners apprehend their arrest for the offences punishable under Sections 341,323, 504 of the Indian Penal Code and Section 3(i)(x) of the SC and ST Act.

Allegedly, the petitioners and co-accused Babloo Yadav came at the house of the informant, Lalita Devi, abused her by naming her caste as Mushar and assaulted her and her children with fists and slaps as they have not done the work of the petitioners on wages.

The submission on behalf of the petitioners is of false implication and with a view to take illegal advantage. No offence under Section 3(i) (x) of the SC and ST Act is made out as the occurrence has not taken place in public view rather at the house of the informant and rest of the offences are bailable to which learned A.P.P. does not controvert.

In the facts and circumstances of the case, I find it a fit case for regular bail. The petitioners are directed to surrender in the court of Additional Chief Judicial Magistrate, Danapur in connection with Shahpur P.S. Case No. 30/2014 and seek regular bail and their prayer for regular bail shall be considered accordingly preferably on the same day.

In the result, this Criminal Miscellaneous application is hereby disposed of.

(Jitendra Mohan Sharma, J)

S.Pandey/-

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