

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11496 of 2015

Arising Out of PS.Case No. -275 Year- 2014 Thana -GHOSI District- JEHANABAD

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1. Uday Sharma S/o late Ashudeo Sharma
2. Ashlok Kumar @ Bukku S/o Uday Sharma
Both R/o Village - Bandhuganj, P.S. - Ghosi, District - Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

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

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 28-04-2015 Supplementary affidavit is filed on behalf of the

petitioners.

Heard learned counsel for the petitioners as well as

learned Additional Public Prosecutor for the State.

The present case has been registered for the offences
punishable under Sections 341, 323, 504/34 of the Indian Penal
Code and Section 3(i) (x) (xi) of S.C./S.T. (Prevention of
Atrocities) Act.

The contention on behalf of the petitioners is that no
case under the provisions of S.C./S.T. (Prevention of Atrocities)
Act is made out and, therefore, Section 18 of S.C./S.T. (Prevention
of Atrocities) Act is not applicable in the present case.

It has specifically been averred at para 2 of supplementary affidavit that up till now, cognizance has not been taken in this case.

It would appear from perusal of the first information report that the petitioners are said to have uttered the caste name of the informant and threatened her to face dire consequences, if she attempts to lodge the case.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioners, in the event of their arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Jehanabad in Ghosi P.S. Case No. 275 of 2014 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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