

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44272 of 2014

Arising Out of Rail PS.Case No. -30 Year- 2014 Thana -SAMASTIPUR GRP CASE District-
SAMASTIPUR

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1. Devendra Jha, Son of Late Mauje Jha
2. Munna Jha, Son of Devendra Jha
3. Rakesh Jha, Son of Devendra Jha,
All are residents of village- Madhopur Chaturi, Police Station- Bajpatti,
District- Sitamarhi

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amitabh Bhardwaj, Adv.

For the Opposite Party/s : Mr. Ambika Bhagat, Spl. P.P.

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 30-03-2015 Heard learned counsel for the petitioners as well as
learned A.P.P. for the State.

While informant was inside his house, it has been
alleged that all the petitioners made house trespass, abused by his
caste name and then assaulted and during course thereof, Rakesh
Jha snatched away Rs. 2000/-.

At an initial stage, the case was registered under
Sections 341, 323, 448, 379, 307 of the Indian Penal Code and 3
(i) (x) of SC/ST (P.O.A.) Act and after concluding investigation,
as the injuries have been found simple, chargesheet has been
submitted under Sections 341, 323, 447, 379/34 of the Indian
Penal Code and 3(i) (x) of the SC/ST (P.O.A.) Act.

It is apparent from the written report itself that occurrence did not take place in full public view. Moreover, para 51 and 52 is the statement of informant and his wife recorded under Section 164 Cr.P.C. wherein they have not alleged so.

On account of prevalence of aforesaid materials, petitioners are directed to surrender before the learned lower court with a prayer of bail, which the learned lower court will consider favourably more particularly in accordance with law in the light of materials available on the record as disclosed above.

With the aforesaid observation, instant petition is disposed of.

(Aditya Kumar Trivedi, J.)

Vats/-

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