

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49070 of 2014

Arising Out of PS.Case No. -140 Year- 2013 Thana -HAYAGHAT District- DARBHANGA

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1. Sanjay Kumar Sinha @ Sanjay Kumar Singh son of Shiv Kumar Sinha
@ Shiv Kumar Singh resident of Village : 13, Rahtauli, P.S. : Hathauri,
District : Samastipur.
2. Kesho Rai @ Kosha Roy son of Mangal Roy resident of Village : Rewra,
P.S.: Warisnagar, District : Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwari
For the Opposite Party/s : Mr. Ram Shankar Das(Spl.P.P.)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 07-05-2015 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners apprehend their arrest in connection
with Hayaghat P.S. Case No. 140 of 2013 registered for the
offences punishable under Sections 279, 337 and 338 of the Indian
Penal Code as well as Section 3(1)(x) of the SC/ST (Prevention of
Atrocities), Act.

Learned counsel for the petitioner submits that the
present case has been lodged as an afterthought inasmuch as the
occurrence is said to have taken place on 24.08.2013 and the first
information report has been lodged on 10.12.2013. It is further
submitted that the provisions of SC/ST (Prevention of Atrocities)

Act are not at all attracted as the occurrence has neither taken place in public view or at a public place. Moreover, there are no witnesses to have endorsed the view of the prosecution story.

Considering the aforesaid submissions as also the nature of allegation and also the fact that petitioners have no criminal antecedents, let the petitioners, in the event of their arrest or surrender before the court below within a period of two weeks from the date of receipt/production of a copy of this order, is/are directed to be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Darbhanga in connection with Hayaghat P.S. Case No. 140 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C..

(Anjana Mishra, J)

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