

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42672 of 2014

Arising Out of PS.Case No. -68 Year- 2013 Thana -SC/ST P.S. District- SARAN

1. Prince Singh @ Prince Kumar Singh Son of Gopal Singh
2. Monu Singh @ Monu Kumar Son of Shtrughan Singh Both residents of Mohalla - Sonepur Nakhas, P.S. - Sonepur, District- Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.46020 of 2014

Arising Out of PS.Case No. -68 Year- 2013 Thana -SC/ST P.S. District- SARAN

Ashu Kumar Singh @ Ashu Singh Son of Late Ramji Singh Resident of Mohalla - Nakhas Ahir Patti, Police Station - Sonepur, District - Saran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.42672 of 2014)

For the Petitioner/s : Mr. Niraj Kumar

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

(In Cr.Misc. No.46020 of 2014)

For the Petitioner/s : Mr. Niraj Kumar

For the Opposite Party/s : Mr. Ambika Bhagat (A.Pp)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 22-04-2015 Heard learned counsel for the petitioners in both the cases as well as learned counsel for the State.

Both the above mentioned criminal miscellaneous applications are for the same occurrence and as such both have been heard together and are being disposed of by passing this

common order.

In these applications for anticipatory bail the petitioners apprehend their arrest for the offences punishable under sections 341, 323 and 354/34 of the I.P.C and sections 3 (1) (X) (XI) of SC/ST Act.

Allegedly, when the wife of the informant was going to attend her duty as she is a teacher and as soon as reached near the Fair Controlling Chamber, Co-accused Tarun Kumar Singh started making satanic remarks which was protested and then after using caste name caused threats to kill and thereafter the petitioners also came there and started abusing in filthy language after using caste name causing threats to kill all the family members and they took away Tarun Kumar Singh.

Submission is of false implication and that the case has been compromised and as such the petitioners deserve sympathetic consideration, to which the learned Special P.P. opposes by submitting that the anticipatory bail application is not maintainable as the same is barred under section 18 of the SC/ST Act.

As the occurrence took place within the public view and as such this anticipatory bail application is not maintainable. But as the parties have compromised the case and as such the

petitioners are directed to surrender before the court of C.J.M. Saran at Chapra where the case is pending in connection with Saran SC/ST P.S. Case No. 68 of 2013 and seek regular bail and then the learned court below after ascertaining genuineness of the compromise shall pass appropriate order accordingly.

(Jitendra Mohan Sharma, J)

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