

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7393 of 2015

Arising Out of PS.Case No. -7 Year- 2015 Thana -SC/ST District- JEHANABAD

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1. Kamdas Sao Son of Late Darshan Sao
2. Ravi Kumar Son of Chandrakant Sao
3. Balmukund Kumar Son of Chandrakant Sao All are resident of village -
Murasa, Police Station - Kako in the district of Jehanabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 03-03-2015 Heard both sides.

The petitioners apprehend their arrest in a case under
Section 323 and other sections of the Indian Penal Code and
Section 3(1)(X) of Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act.

The allegation is that the petitioners surrounded the
brother-in-law of the informant while he was returning from PDS
shop and abused him by naming his caste and also assaulted.

It is submitted that by merely naming the caste, no
offence is committed under any section of the Scheduled Castes
and Scheduled Tribes (Prevention of Atrocities) Act. The
allegations are made to make the offence graver.

It appears that the occurrence took place on road and the petitioners are alleged to have abused and assaulted the brother-in-law of the informant in full public view. Hence, I am not inclined to enlarge the petitioners on anticipatory bail in SC/ST Jehanabad P.S. Case No. 07 of 2015. Accordingly, the same is rejected.

The petitioner is directed to surrender in the court below within four weeks from today and make prayer for regular bail. The court below shall consider the prayer for regular bail of the petitioner without being prejudiced by this order on the same day keeping in mind the fact that the offence is of petty nature.

(Prabhat Kumar Jha, J)

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