

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21519 of 2015

Arising Out of PS.Case No. -713 Year- 2012 Thana -AURANGABAD COMPLAINT CASE
District- AURANGABAD

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1. Jitendra Kumar Singh @ Jitendra Singh Son of Late Awadh Singh
 2. Abhyanand Singh Son of Uday Singh
 3. Ajay Singh Son of Late Kulwant Singh
 4. Ram Prapanna Singh Son of Badri Singh
 5. Parsuram Singh Son of Late Anirudh Singh All residents of village - Ghosta, P.S. Madanpur, District - Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar
2. Sanjay Rickiyasan Son of Ramun Rickiyasan Resident of village + P.O. Ghostha, P.S. Madanpur, District - Aurangabad

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lakshmi Kant Sharma
For the Opposite Party/s : Mr. Ambika Bhagat(Spl.App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 01-10-2015 Heard learned counsel for the petitioners and

learned Special Public Prosecutor appearing for the State.

Petitioners apprehend arrest in connection with

Complaint Case no. 713 of 2012 registered for the offences
punishable under sections 147, 323, 379/34 of the Indian Penal
Code and section 3(i)(x) of the S.C./S.T. (Prevention of Atrocities)
Act.

Learned counsel for the petitioners submits that

earlier a case bearing Madanpur P.S. Case No. 162 of 2015 had

been instituted by one Sidhnath Singh against the petitioners and



Bhiringunath Singh and subsequently Madanpur P.S. Case no. 161 of 2012 was lodged by petitioner no. 2 Abhyanand Singh against the complainant and others. Learned counsel for the petitioners further submits that the allegation as against these petitioners are purely motivated and have been initiated with malice motive only because of other cases. It is further submitted that Bhiringunath Singh who is alleged to have attacked the complainant and dragged him into a public place, abused him in a public view has been extended the privilege of anticipatory bail earlier and as such these petitioners are entitled to the said privilege.

Learned Special Public Prosecutor submits that, in fact, these petitioners had participated and used filthy language as against the informant and, therefore, they are not entitled to the benefit as has been granted to Bhiringunath Singh.

However, after perusal of the entire materials on record, hearing submissions of the parties and also because save and except Madanpur P.S. Case No. 162/2012 against petitioner no. 5, there is no other case pending against the petitioners, petitioners above named, in the event of arrest or surrender in the court below within three weeks from the date of receipt/production of a copy of this order, shall be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to

the satisfaction of the learned Chief Judicial Magistrate,
Aurangabad in connection with Complaint Case No. 713 of 2012
subject to the conditions laid down under section 438(2) of the
Code of Criminal Procedure, 1973.

(Anjana Mishra, J)

Amin/-

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