

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27762 of 2015

Arising Out of PS.Case No. -238 Year- 2014 Thana -CHAKIA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Sudisht Sahani @ Sudish Sahani S/o Kapichan Sahani
 2. Kapichan Sahani @ Kapichand Sahani S/o Late Ranglal Sahani
 3. Suman Sahani S/o Kapichan Sahani
 4. Rambabu Sahani S/o Kapichan Sahani
 5. Sunil Sahani S/o Kapichan Sahani All vill. - Paithania, P.S. Chakia,
Distt. - East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar, Advocate
For the Opposite Party/s : Mr. Ambika Bhagat(App)

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-09-2015 Learned counsel for the petitioners seeks permission to
withdraw this application on behalf of petitioner no. 5.

This application is dismissed as withdrawn as against
petitioner no. 5.

Heard learned counsel for the petitioners no. 1 to 4 and
the State.

The petitioners no. 1 to 4 are apprehending their arrest in
a case instituted under Sections 341, 323, 504, 379/34 of the
Indian Penal Code and Section 3(i) (x) of the Scheduled Caste and
Scheduled Tribe (Prevention of Atrocities) Act.

Allegation against the petitioners is that they abused the
informant by her caste name and also snatched from her a gold
chain and tops.

It has been submitted on behalf of the petitioners that
there is only one case against the petitioners which was filed by

the mother-in-law of the informant and except that there is no other case against them. It is a case and counter case between the petitioners and the informant. The provision of the SC and ST Act is not applicable as the same has not taken place in public view. The petitioners have been falsely implicated in the present case as the informant and her mother-in-law are in the habit of filing false case against the petitioners for political reason.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioners no. 1 to 4, in the event of arrest or surrender in the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of Sri P. K. Singh, learned Judicial Magistrate, Ist Class, Motihari, East Champaran, in connection with Chakia P.S. Case no. 238 of 2014/G.R. no. 4837 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

sudip/-

U		T	
---	--	---	--