

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32345 of 2015

Arising Out of PS.Case No. -10 Year- 2014 Thana -ST/SC (HARIJAN) District- BHABHUA
(KAIMUR)

- =====
- 1. Bijendra Singh
 - 2. Satndra Singh Both S/o Tribhuwan Singh
 - 3. Rajendra Singh @ Rajendra Prasad Singh S/o Nand Keshwar Singh All Resident of Village Gaura, P.S. Mohania, District Kaimur (Bhabua).

..... Petitioner/s
Versus

- 1. The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar Seth
For the Opposite Party/s : Mr. Sadanand Paswan (Spl. Pp)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 13-08-2015 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor appearing on behalf of the State.

This application for grant of anticipatory bail arises out of Bhabua SC/ST P.S. case No. 10 of 2014, disclosing offences under Sections 341,323,448,380,504,506/34 of the Indian Penal Code and Section 3 (1) (x) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act.

Learned counsel appearing on behalf of the petitioners appears to be right in his submission that no offence under Section 3(1) (x) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act is made out, in the absence of any allegation that

the occurrence took place within public view. He has submitted that the case has been maliciously instituted for ulterior purpose.

In view of the submissions as above, this application is accordingly, allowed. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Ajit Kumar Singh, learned Judicial Magistrate, Ist Class, Bhabua (Kaimur) in Bhabua SC/ST P.S. Case No. 10 of 2014 (G.R. No. 329 of 2014), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present themselves before the Police/Court, as the case may be, and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, his bail bonds shall liable to be cancelled.

(Chakradhari Sharan Singh, J)

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