

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32471 of 2015

Arising Out of PS.Case No. -170 Year- 2014 Thana -AURAI District- MUZAFFARPUR

1. Sanjay Kumar

2. Raju Kumar

3. Ranjan Kumar,

bove all are sons of Late Janardan Singh

4. Jeetu Pathak @ Jitendra Pathak son of Late Narayan Pathak

5. Mohan Chaudhary, son of Sri Balak Choudhary

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Bela Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-08-2015 Since petitioner no.5 Mohan Chaudhary has been arrested, learned counsel for the petitioners seeks permission to withdraw this application so far as it relates to him only.

Permission is granted.

Accordingly, this application so far as relates to petitioner no.5 stands dismissed as withdrawn.

Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147/148/149/341/323/324/307/384/379/504 of the Indian Penal

Code and section 3(1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

It is alleged that co-accused persons including the petitioners stopped the informant, who was a bus conductor and, thereafter, co-accused Sanjay Kumar Singh pulled down the informant and after putting towel around his neck abused by calling caste name whereas petitioner Raju Kumar and co-accused Ajit Kumar caused injury with knife on the forehead of the informant. It is further alleged that co-accused Raju Kumar took out Rs.3500/- from the pocket of the informant.

It is submitted by learned counsel for the petitioners that except petitioner no.2 Raju Kumar, the accusation is not specific against petitioner nos.1 to 4 and there is counter version of the occurrence also.

It is submitted by learned Special P.P. for the State that the occurrence took place at public place, hence, accusation of abusing by calling caste name is against all the accused persons.

The aforesaid facts may constitute good ground for consideration of prayer for regular bail.

Let the learned Court below consider the prayer for regular bail of the petitioners, if the petitioners surrender within a period of six weeks (except petitioner no.5, who has already

been arrested) in connection with Aurai P.S. Case No.170 of 2014, pending before the learned Judicial Magistrate, 1st Class, Muzaffarpur.

With the above observation, this application is, accordingly, disposed off.

(Dinesh Kumar Singh, J)

Ashwini/-

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