

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50216 of 2015

Arising Out of PS. Case No. -35 Year- 2015 Thana -BARURAJ District- MUZAFFARPUR

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1. Bhola Sah, S/o Bharosi Sah resident of village - Bhagwanpur, P.S. Baruraj, District - Muzaffarpur
 2. Pramod Sah, S/o Bharosi Sah, resident of village - Bhagwanpur, P.S. Baruraj, District - Muzaffarpur
 3. Ram Ishwar Sah @ Rameshwar Sah S/o Bharosi Sah resident of village - Bhagwanpur, P.S. Baruraj, District - Muzaffarpur
 4. Ram Sewan Sah S/o Saryug Sah resident of village - Bhagwanpur, P.S. Baruraj, District - Muzaffarpur
 5. Prabhu Sah, S/o Jaggu Sah, resident of village - Bhagwanpur, P.S. Baruraj, District - Muzaffarpur
 6. Abbas Mian, S/o Hazi Mian, resident of village - Bhagwanpur, P.S. Baruraj, District - Muzaffarpur

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Sanjay Parasmani, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 06-11-2015 Heard learned counsel for the petitioners and learned
APP for the State.

3. The petitioners apprehend their arrest for the offences alleged under Section 341, 323, 379 and 452 of the Indian Penal Code and Section 3(1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act registered in connection with Baruraj P.S. Case No. 35 of 2015.

4. It is submitted that even according to the averments contained in the complaint/first information report, the offence under the Scheduled Castes and Scheduled Tribes (Prevention of

Atrocities) Act is not made out as the alleged occurrence had not taken place in public view. The offences under the Indian Penal Code are not made out as the accusations of assault and theft are not supported by any medical document.

5. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of Sri V.K. Chaubey, learned Judicial Magistrate, Ist Class, Muzaffarpur in connection with Baruraj P.S. Case No. 35 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vikash Jain, J)

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