

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50625 of 2014

Arising Out of PS.Case No. -130 Year- 2014 Thana -SHEOHAR District- SHEOHAR

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1. DAROGA SINGH, SON OF LATE JUGUT SINGH.
 2. WAKIL SINGH, SON OF LATE JUGUT SINGH.
 3. PREM SINGH, SON OF DAROGA SINGH, ALL RESIDENT OF VILLAGE-BASAHYA RAM, P.S.-SHEOHAR, DISTRICT-SHEOHAR.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

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Appearance:

For the Petitioner/s : Mr. Devendra Kumar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 22-04-2015 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor.

Though instant case has been registered under Section 323, 324, 307, 34 of the IPC, 3(1)(x) of SC ST (PA) Act, after going through the fardbeyan it is apparent that the occurrence has got different colour than, so projected by the informant.

That being so, application of SC ST (PA) Act became doubtful. Moreover, from the order impugned, it is evident that the injury found over the person of informant happens to be simple in nature coupled with the fact that there happens to be omnibus allegation.

Accordingly, petitioners are directed to surrender before the learned lower court with a prayer for bail which the learned lower court will consider in the light of above referred finding.

Instant petition is disposed of with the aforesaid observation.

(Aditya Kumar Trivedi, J.)

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