

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52016 of 2014

Arising Out of PS.Case No. -74 Year- 2013 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Ashok Prasad
 2. Satyendra Kumar
 3. Krish Nandan Kumar @ Krishnanandan Kumar
All sons of Jagarnath Prasad
 4. Sarita Devi, wife of Satyendra Kumar
 5. Murat Devi, Wife of Ashok Kumar
All resident of Village-Bada Pakar Dumla, P.S.-Madhuban,
District-East Champaran at Motihari.

.... Petitioners

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioners : Mr. Dhananjay Kumar Tiwary, Advocate
For the Opposite Party : Mr. Ambika Bhagat, SPL. P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 05-01-2015 Heard both sides.

The petitioners, Ashok Prasad, Satyendra Kumar, Krish Nandan Kumar @ Krishnanandan Kumar, Sarita Devi and Murat Devi, apprehend their arrest in Madhuban P.S. Case No.74 of 2013, registered under Sections 307 and other sections of the Indian Penal Code and Section 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Kailash Paswan, the informant, made allegation that the petitioner Satyendra Kumar eve teased his granddaughter Nilam Kumari while she was going to her school. Thereafter, the informant went to the house of the accused persons to make complain, but one Jagarnath Prasad and the petitioners are alleged to have assaulted the informant by tying rope around his

neck and also assaulted with knife.

Learned counsel for the petitioners submits that the petitioners also filed a complaint case against the informant after five months of the occurrence. The informant again filed a case. The supervising authority found that by the side of the house of the informant, the land of the petitioner is situated and on account of which, the informant lodged the case. The injuries are simple in nature and the petitioners have got no criminal antecedent.

Learned Additional Public Prosecutor, however, opposed the prayer for anticipatory bail of the petitioners.

It appears that the informant made a specific allegation that petitioner Satyendra Kumar was eve teasing his granddaughter and when the informant went to make protest, the petitioners abused him by naming his caste and also assaulted him. Hence, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

The petitioners may surrender in the Court below and make prayer for regular bail. The learned Court below shall consider the regular bail without being prejudiced by this order.

(Prabhat Kumar Jha, J)

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