

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21710 of 2015

Arising Out of PS.Case No. -376 Year- 2014 Thana –TEKARI (MAU) District- GAYA

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1. Arvind Yadav Son of Lal Girij Yadav
 2. Manju Devi Wife of Arvind Yadav Both resident of village - Jalalpur, at Present - Amawan Tola, Khegan Bigha, Police Station - Tekari (Mau), District - Gaya
 3. Ashok Yadav Son of Shiv Charan Yadav
 4. Shrimati Devi wife of Ashok Yadav Both are residents of village - Amawan Tola Dwarikapuri, Police Station - Tekari (Mau), District - Gaya

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Manish Kumar No-2

For the Opposite Party : Mr. Ambika Bhagat (Spl.App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 08-07-2015 Heard both sides.

The petitioners apprehend their arrest in connection with Tekari(Mau) P.S. case no. 376 of 2014, registered under Sections 147,149,341,323,448,504 and 154(B) of the IPC and Section 3(1)(x)(xi) of the Scheduled Castes/Scheduled Tribes (Prevention of Atrocities) Act .

All the four petitioners herein are the husband and wife. Petitioner no.3 is brother-in-law of petitioner no.1.

The allegation is that they entered into the ‘aangan’ of the informant and taking the name of her caste and assaulted her inasmuch as her blouse was torn.



Contention of the petitioners is that the all the allegations are concocted. In fact, petitioner no.1 lodged a case against the informant of the present case which on the instruction of the SDPO has now been registered. Admittedly, from bare perusal of the FIR, it would appear that the informant was not intimidated or abused taking her caste name in public view. The place of occurrence is courtyard. Petitioners have no criminal antecedent and if given the privilege of anticipatory bail they shall desist from committing any such occurrence with the informant.

Having regard to the submissions of the petitioners and after hearing the parties, including the special P.P., I am inclined to extend them the privilege of anticipatory bail. Let the petitioners, named above, in the event of their arrest/surrender before the learned Court below within a period of four weeks from today, 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 the learned Judicial Magistrate, Ist Class, Gaya, in connection with Tekari (Mau) P.S. case no. 376 of 2014, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with following conditions:-

- (i) One of the bailors in each case shall be the own/close family member of the petitioner.



(ii) As soon as the charges are framed the petitioners shall appear in person before the trial court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the petitioners and secure their arrest in accordance with law.

Shyam/-

(Kishore Kumar Mandal, J)

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