

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26957 of 2015

Arising Out of PS.Case No. -292 Year- 2013 Thana -KHAJEKALLAN District- PATNA

- =====
1. Dinesh Rai
 2. Deepak Rai,
Both are sons of Sri Shankar Rai
 3. Kanta Rai son of Shri Mahavir Rai
All are resident of Village-Hamam Road, P.S. Khajekala, District Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ganga Prasad Bimal

For the Opposite Party/s : Mr. Sadanand Paswan (Spl.PP)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-07-2015 The petitioners are apprehending their arrest in connection with Khajekalan P.S. Case No. 292 of 2013 for the offences instituted under sections 341, 323, 504, 427/34 of the Indian Penal Code and section 3(x) of the SC/ST(POA)Act.

Heard learned counsel for the petitioners and learned counsel for the State.

The prosecution story, in brief, is that on 18.12.2013, the motorcycle of the informant was parked in the *gali* near the wall of his house, in the meantime Dinesh Rai, Deepak Raj, two sons of Shankar Rai and Kanta Rai started to destroy the motorcycle of the informant bearing registration no. BR01AV-8267. It is further alleged that informant came out of her house and on protest, accused persons abused and assaulted her and on protest by the sons of the informant

they also assaulted and abused them and asked that they do not fear with anyone.

It has been submitted on behalf of the petitioners that all the sections are bailable except section 3 (x) of the SC/ST(POA) Act. It is further submitted that the provisions of SC/ST Act is not attracted, as no offence has taken place in a public view. It is further submitted that the matter has been compromised between the parties which is Annexure-2 to the present application.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Khajekalan P.S. Case No. 292 of 2013 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Patna City, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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