

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49875 of 2014

Arising Out of PS.Case No. -689 Year- 2013 Thana -MADHEPURA District- MADHEPURA

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1. Rahul Kumar S/o Anil Yadav
2. Hari Krishna Yadav S/o Chandra Nath Yadav
3. Anil Yadav S/o Late Nawal Kishore Yadav All are resident of Vill +
Post - Ithari, P.S. - Ghailar, Madhepura, Dist. - Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Jha

For the Opposite Party/s : Mr. Ram Shankar Das (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 30-04-2015 The petitioners are apprehending their arrest in connection with Madhepura (Ghailardh) P.S.Case No. 689 of 2013 instituted under Sections 447,, 341, 323, 325, 427, 504 and 506/34 of the Indian Penal Code and Section 3(1)(X) of SC/ST Act.

Heard learned counsel for the petitioners and the State.

The prosecution story, in brief, is that the informant is working as a peon in Bhagwat Surendra Maya Higher Secondary School, Bardhan Chowk, Itahari. On 27.11.2013at about 11 A.M. while he was on duty in the premises of the school all petitioners came, started breaking door of the school and on his protest they abused him with taking name of his caste and assaulted by the pieces of bamboo for which he sustained injury on his right leg.

It has been submitted on behalf of the petitioners that they have falsely been implicated in this case. It has further been submitted that the petitioners have no criminal antecedent. Learned counsel for the petitioners has drawn my attention towards Annexures 2 and 3 to the present application where in course of investigation the case, as lodged, by the informant is not found to be true. It is further submitted that Section 3(1)(X) of SC/ST is not attractable as the offence has not taken place in public view.

On behalf of the State, it has been submitted that there is specific allegation against the petitioners and they are named in the FIR.

Considering the aforesaid facts, let the above named petitioners, in the event of their arrest/surrender in the court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Madhepura in connection with Madhepura(Ghailardh) P.S.Case No. 689 of 2013, subject to the conditions, as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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