

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48567 of 2014

Arising out of PS.Case No. -42 Year- 2014 Thana -SC/ST PS District- GOPALGANJ

- =====
1. Ratikant Singh.
 2. Satyadeo Singh @ Satyadeo Singh Kushwaha. Both S/o Ramashankar Singh.
 3. Parsuram Singh @ Parshuram Singh, S/o Late Ramchandra Kushwaha.
- All residents of Village Sampur, P.S. Uchakagaon, District Gopalganj.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Dewendra Narayan Singh, Advocate.
For the Opposite Party : Mr. Ram Chandra Das (Spl Pp)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-05-2015 The petitioners are apprehending their arrest in connection with Gopalganj SC/ST P.S. Case No. 42 of 2014 for the offences instituted under Sections 341, 323, 354(A), 504/34 of the Indian Penal Code and 3(1)(iii)(x) (xi) of the SC/ST (Prevention of Atrocities Act).

Heard learned counsel for the petitioners and the State.

The prosecution story, in brief, is that one Vidhanti Devi(the informant) on 03.09.2014, submitted typed written report before the Officer-in-charge, SC/ST Police Station, Gopalganj, which is to the effect that the informant belongs to caste Gond, the Scheduled Caste who on 02.09.2014 at 8.00 A.M. was going from



her matrimonial house to her maternal house at Village-Sampur on foot and as soon as she had reached on the road before Sampur Market, the Co-villagers of the informant's maternal village who namely(1) Ratikant Singh(petitioner no. 1) 2. Satyadeo Singh(the petitioner no. 2) 3. Parsuram Singh(petitioner no. 3) 4. Baliram Singh and 5. Jaiprakash Singh, all together started to abuse the informant by calling her caste name as Gond and addressing her as Sali as where she was going? The said persons also told that yesterday since they have got the informant's brother injured by making assault, the informant should also be assaulted when Ratikant Singh caught the informant's arm and Satyadeo Singh pushed her down on the ground when rest of other persons got the informant injured by assaulting her with fist and slaps and have got torn the informant's Blouse due to which the informant became half naked. On alarm raised by the informant the surrounding people arrived there when all the said persons fled away. Hence, the informant claimed that her prestige has been lost at the open road.

It has been submitted on behalf of the petitioners that the petitioners have no criminal antecedents. Further it has been submitted that prior to institution of the present case, vide Annexure-2 a case was instituted upon the informant and his

family members by petitioner no. 1 and the present case is a outburst to Annexure-2. Further it has been submitted that no specific allegation has been made against the petitioners, omnibus and general allegation has been made against them. Further it has been submitted that Section 3(1)(iii)(x)(xi) of the SC/ST (Prevention of Atrocities Act) is not attributed as the said is not in the public view.

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 above named, petitioners, be released on bail in the event of their arrest or surrender before the learned court below within a period of eight weeks from today in connection with Gopalganj SC/ST P.S. Case No. 42 of 2014 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 C.J.M. Gopalganj subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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