

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53432 of 2015

Arising Out of PS.Case No. -139 Year- 2015 Thana -CHARIABARIYARPUR District-
BEGUSARAI

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1. Sudhir Yadav son of Ram Niwash Yadav
2. Manoj Sharma son of Late Ram Pd. Sharma,
Both are residents of village- Korjana, P.S.- Cheriabariyarpur,
District - Begusarai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate
For the Opposite Party/s : Mr. Ram Shankar Das, Special P.P.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH
ORAL ORDER

2 07-12-2015 Heard learned counsel for the petitioners. Despite repeated calls, none appears on behalf of the State.

The petitioners seek pre-arrest bail in connection with Cheriabariarpur P.S.Case No.139 of 2015 corresponding to G.R. No.160 of 2015 registered under Sections 341 and 323/34 of the Indian Penal Code and Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

It is contended that the entire prosecution case is false and concocted. The alleged incident of occurrence is said to have taken place on 14th July, 2015, but the FIR was lodged after about two months on 7th September, 2015 without any plausible

explanation for the delay caused in filing the FIR. It is further contended that apart from the offence punishable under the Scheduled Castes and Scheduled Tribe (Prevention of Atrocities) Act, which has been levelled to humiliate and harass the petitioners, all other offences are bailable in nature.

Learned counsel for the State has contested the application.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within four weeks from today, the above named petitioners are directed to 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 learned Additional Chief Judicial Magistrate, Manjhaul, Begusarai in connection with Cheriabariarpur P.S. Case No.139 of 2015 corresponding to G.R. No.160 of 2015 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

Md.S./-

(Ashwani Kumar Singh, J)

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