

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43280 of 2015

Arising Out of PS.Case No. -14 Year- 2015 Thana -SC/ST District- KATIHAR

=====

1. Subodh Vyas , son of Late Bunni Mahto
2. Suraji Lal Chaudhary, son of Late Rupan Chaudhary Both resident of
Village- East Bari Nagar, Barari, Police Station- Barari, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR
DATTA
ORAL ORDER

2 05-11-2015 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners pray for anticipatory bail in a case registered under Sections 147, 149, 323, 324, 385 and 504 of the Indian Penal Code and Section 3 (i) (5) of the SC/ST (Prevention of Atrocities) Act.

Learned counsel for the petitioners submits that all the Sections, except 324 are non-bailable Sections and so far as the application of SC/ST Act is concerned, it has been wrongly introduced so as to deny the benefit of anticipatory bail to the petitioners. The occurrence itself is alleged to have been committed at the Darwaja of accused Sagar Mahto and not at a public place. It is also submitted that there is no allegation of abuse by caste name so far as these two petitioners are concerned.

It is further submitted that the petitioners have no criminal antecedent.

On a consideration of the facts and circumstances of the case, it is directed that the petitioners (1) Subodh Vyas and (2) Suraji Lal Chaudhary, in the event of their arrest/surrender in the court below within a period of four weeks from today, shall be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Katihar in connection with Katihar SC/ST P.S. Case No.14 of 2015, subject to the other conditions as laid down under Section 438 (2) of the Cr.P.C.

(Ramesh Kumar Datta, J)

V.P.Sinha/-

U			
---	--	--	--