

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.48219 of 2015**

Arising out of PS.Case No. -259 Year- 2015 Thana -PATORY District- SAMASTIPUR

- =====
1. Bhrigunath Singh, son of Dani Singh
  2. Rameshwar Singh @ Ramesh Singh, son of Late Dipa Singh,  
Both are resident of Village- Hasanpur, P.S. Mahanar, District- Vaishali.
- .... .... Petitioners

Versus

The State of Bihar

.... .... Opposite Party

**Appearance :**

For the Petitioners : Mr.

For the Opposite Party : Mr.

**CORAM: HONOURABLE MR. JUSTICE V.N. SINHA**  
**ORAL ORDER**

2      03-11-2015                      Heard    learned    counsel    for    the  
  
petitioners and the State.

Petitioners are apprehending their arrest in connection with a case registered for the offence under Section 307 and other allied Sections of the Penal Code, Section 3(X) of the Scheduled Castes/Scheduled Tribes (Prevention of Atrocities) Act as also Section 27 of the Arms Act. Both are named in the First Information Report along with 21 others. It is submitted on their behalf that perusal of the entire fardbeyan would indicate that there is no allegation at all against these petitioners that they abused the informant



by taking his caste name. They are also not said to have assaulted the informant or any other member of the prosecution party as it is only alleged against Petitioner No. 1 that he was driving the Bolero vehicle by which the miscreants had come to the place of occurrence. Petitioner No. 2 is alleged to be the order-giver but there is no allegation of assault against him also.

Let the petitioners, named above, surrender in the court below within four weeks from the date of receipt/production of a copy of this order in the court below, thereafter be released on bail on furnishing bond of Rs. 5,000/- (five thousand) each with two sureties of the like amount each to the satisfaction of C.J.M., Samastipur in connection with Patory P.S. Case No. 259/15, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., provided they are not alleged to have either abused or assaulted the informant or any other member of the prosecution party, otherwise the court below will be at liberty to pass appropriate order in the matter. Until such verification is made, no coercive

steps be taken against the petitioners.

(V.N. Sinha, J)

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