

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7338 of 2016

Arising Out of PS.Case No. -23 Year- 2015 Thana -SC/ST District- KATIHAR

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1. Arjun Yadav son of Late Lahru Yadav,
2. Abhinandan Yadav, son of Arjun Yadav.
3. Rabin Yadav, Son of Jago Yadav, All resident of village- Sirniyakant
Nagar, P.S.- Barari, District- Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surya Nararyan Poddar, Adv.

For the Opposite Party/s : Mr. Sadanand Paswan (Spl. Pp)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-02-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 354 and 504/34 of the Indian Penal Code and Section 3 (I) (X) of the SC/ST (Prevention of Atrocities) Act.

The prosecution case is that when the wife of the informant Chandani Devi forbade the petitioners from cutting Babul tree, she was being abused by the petitioners and when the informant and his father came to the place of occurrence the petitioners escaped from the scene. Subsequently the petitioners came to the field where the informant, his wife and father were working, abused and assaulted the informant, his wife and father.

It is submitted by learned counsel for the petitioners that for the petty dispute, the accusation has been levelled and since the occurrence took place in the crop field which cannot be treated as place of public view, hence offence under SC/ST Act is not made out.

The aforesaid facts constitute good ground for consideration of prayer for regular bail.

Let the learned court below consider the prayer for regular bail of the petitioners if they surrender within a period of six weeks in connection with SC/ST P.S. Case No. 23 of 2015 pending in the court of learned CJM, Katihar.

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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