

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9045 of 2016

Arising Out of PS.Case No. -175 Year- 2015 Thana -BARBIGHA District- SEKHPURA

1. Chandan Kumar, Son of Late Janki Raut,
2. Gautam Kumar, Son of Late Janki Raut
Both Resident of Village- Sarba, P.S.- Barbigha, Distict- Sheikhpura.
..... Petitioner/s

Versus

1. The State of Bihar
..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh, Advocate
For the Opposite Party/s : Mr. Narendra Kumar Singh (APP)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 16-05-2016 Heard learned counsel for the petitioners and

learned Special PP for the State.

Petitioners apprehend arrest in connection with
Barbigha P.S. Case No. 175/15 for offences alleged under
Sections 147, 448, 323, 504, 354-A, 436, 427 of the Indian Penal
Code and under Sections 3(i)(xi), 3(2)(iii) of the SC/ST
(Prevention of Atrocities) Act.

The prosecution case, as lodged by the informant,
is that the petitioners abused the daughter-in-law of the informant,
assaulted the informant and set the house of the informant on fire
destroying the articles of his house.

It has been submitted by the learned counsel for
the petitioner that petitioner no. 1 has no criminal antecedent but
petitioner no. 2 has one case pending against him, although of a

different nature. He further submits that there is a counter-case filed by the uncle of the petitioners prior to the present case and that many of the co-accused have already been granted the privilege of anticipatory bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 39629 of 2015 on 29.09.2015. He further submits that no case under Section 3(i)(xi), 3(2)(iii) of the SC/ST (Prevention of Atrocities) Act is made out against the petitioners.

However, learned APP for the State submits that the petitioners are named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since the other co-accused have already been granted the privilege of anticipatory bail, let petitioners, above named, in the event of their arrest or surrender before the court below within a period of eight weeks from today, 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 Chief Judicial Magistrate, Sheikhpura, in connection with Barbigha P.S. Case No. 175/15, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J.)

Rajesh/-

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