

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13047 of 2016

Arising Out of PS.Case No. -268 Year- 2015 Thana -BAKHRI District- BEGUSARAI

- =====
1. Lakhan Paswan, S/O Ram Khilawan Paswan Village Madhua, P.S.- Bakhri, District- Begusarai.
 2. Bishundeo Paswan, S/O Ram Khilawan Paswan, Village- Madhua, P.S. Bakhri, District- Begusarai.
 3. Sattan Paswan, S/O Munshi Paswan, Village Madhua, P.S.- Bakhri, District- Begusarai.
 4. Munna Paswan, S/O Khusar Paswan, Village, Mahua, P.S.- Bakhri, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Upendra Prasad

For the Opposite Party/s : Mr. Mustaque Alam(App)

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 18-04-2016

Heard.

The petitioners seek anticipatory bail in Bakhri P.S. case no 268 of 2015 registered under Sections 147,148,149,341,323, 354, 307, 504 and 427 of the IPC, Section 27 of the Arms Act and Section 3(X) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act (for short 'the Act').

It is alleged that the informant was harvesting crop at her field with other family members. In the meantime, cited accused persons including the petitioners arrived and abused her taking name of the caste. They looted the crops of the informant. Fire was also opened to scare. The informant sustained bleeding injuries on her head.

Contention of the petitioners is that there is no allegation of causing injury to the informant by the petitioners. The specific allegations attributed to the accuseds are already in jail custody. Some of the accused persons have been released on regular bail. The petitioners do not carry any criminal antecedent.

Mr. Dayal, learned APP for the State, on the other hand, submits that the manner in which the occurrence is committed is relevant . The victim has specifically alleged that these petitioners along with others came at the scene of the occurrence and looted the property, abused her as also some of them caused bleeding injury to her. He has also, in this regard, drawn attention of the Court to Section 18 of the Act.

Considering the facts and circumstances of the case, in my view, the petitioners should also surrender and seek regular bail. If they do so, the same shall be considered and disposed of by the learned Court below unprejudiced by the present order.

(Kishore Kumar Mandal, J)

Shyam/-

U		T	
---	--	---	--