

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43446 of 2015

Arising Out of PS.Case No. -102 Year- 2014 Thana -GHOGHARDIHA District- MADHUBANI

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1. Ashok Mandal Son of Achhelal Mandal
 2. Raghubir Yadav Son of Kushum Lal Yadav
 3. Pramod Yadav @ Pramod Kumar Yadav @ Nirbhai Yadav Son of Jay Prakash Yadav
 4. Sanjay Yadav Son of Ram Julum Yadav
 5. Pawan Yadav Son of Late Khusi Lal Yadav These all are resident at Village - Kisanipatti, P.S. - Ghoghardiha, District - Madhubani

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Jha

For the Opposite Party/s : Mr. Ram Shankar Das(Spl.App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

6 02-05-2016 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with a case registered for the offences punishable under Sections 147/148/149/341/342/323/307/379/504/506 of the Indian Penal Code and Section 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Diary in this case was called for earlier which has since been received.

Learned counsel for the petitioner submits that though there is allegation that these petitioners had participated in the occurrence and had hurled the caste name and abused the

informant while he was preparing Adhar Card and the petitioners also assaulted the informant. It is further submitted that in the subsequent statement made by the informant in paragraph No. 20 of the case diary, the informant has clearly stated that his signature was drawn on some vague document and he has no concern with the occurrence whatsoever.

Learned counsel appearing on behalf of the State after perusal of the case diary confirms that such an occurrence has been denied by the informant in his subsequent statement.

In view of the denial made by the informant himself, there does not seem to be any further reason for the petitioners to face prosecution and also because the petitioners have no criminal antecedent, let the petitioners above named, in the event of their arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged 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 the learned Sub-Divisional Judicial Magistrate, Jhanjharpur, Madhubani in connection with Ghoghardiha P.S. Case No. 102/2014, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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