

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28095 of 2016

Arising Out of PS.Case No. -93 Year- 2015 Thana -SC/ST PS District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Dinesh Pathak son of Late Vindeshwari Pathak
 2. Rajnish Kumar Pathak @ Rajnish Pathak @ Rinku Pathak, son of Dinesh Pathak
 3. Dhanesh Pathak @ Lal Pathak, son of Late Bindeshwari Pathak
 4. Rajan Kumar son of Late Rambabu Prasad
- All resident of Village-Kesaria, P.S.-Kesaria, District-East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rana Vikram Singh

For the Opposite Party/s : Mr. Sri Ram Shankar Das

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-07-2016

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 379, 504, 34 of the Indian Penal Code and Section 3(i)(iii)(x) of the SC & ST(Prevention of Atrocities) Act.

The prosecution case is that on 20.11.2015 at 2:20 P.M the informant went to the domestic gas agency of the accused persons for getting gas connection when Rs. 10,000/- was demanded for providing gas connection. On protest being made the informant was being assaulted with knife, slaps and legs and co-accused Ranjan Kumar took away Rs. 5000/- from the pocket of the informant.

It is submitted by learned counsel for the petitioners that for a petty dispute the accusation has been

levelled. On conclusion of the investigation the petitioners were not sent up for trial but differing with the final form learned Magistrate took cognizance under Sections 323, 504 of the Indian Penal Code and Section 3(i)(ii)(x) of the SC & ST (Prevention of Atrocities) Act.

It is submitted by learned counsel for the informant that injury was caused to the informant and the accusation is specific against the petitioners but he does not dispute this fact that petitioners were not sent up for trial.

Considering the delayed lodging of the case and the fact that petitioners were not sent up for trial, it is a case for consideration of prayer for regular bail, if the petitioners surrender within a period of six weeks in connection with SC/ST Motihari P.S. Case No. 93 of 2015, pending in the Court of learned A.C.J.M-XI, Motihari, East Champaran.

It is expected from learned Court below to dispose of the regular bail of the petitioners preferably on the same day.

With the observations above, the application stands disposed of.

(Dinesh Kumar Singh, J)

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