

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35606 of 2016

Arising Out of PS.Case No. -72 Year- 2016 Thana -NARHAT District- NAWADA

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1. Pawan Kumar @ Sharwan Yadav Son of Shri Narayan Yadav.
 2. Sanjay Yadav @ Sanjay Kumar Son of Shri Narayan Yadav.
 3. Mantu Kumar @ Manush Kumar Son of Pawan Kumar.
- All are resident of village:- Teropur, P.S.:- Narhat, District:- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 31-08-2016 Heard learned counsel for the petitioners and the State.

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506/34 of the Indian Penal Code and 3(1) (x) of the S.C./S.T.(Prevention of Atrocities) Act.

The prosecution case is that on 03.05.2016 the informant was getting his house constructed, when accused persons came abused by calling caste name and made assault for not casting vote during the Panchayat Election in favour of candidate of accused Mahendra Ravidash.

It is submitted by the learned counsel for the petitioners that even assuming the accusation, offence under Sections 3(1) (x) of the S.C./S.T.(Prevention of Atrocities) Act is

not made out. Hence, the anticipatory bail application is maintainable. This Court is not inclined to entertain the present anticipatory bail application. But keeping in view of the nature of accusation, it is a case for consideration of prayer for regular bail.

Let the learned court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Narahat P.S. Case No. 72 of 2016, pending in the court of learned Chief Judicial Magistrate, Nawada.

With the above observation this application is disposed of.

It is expected from the learned court below to dispose of the regular bail application of the petitioner preferably on the same day.

(Dinesh Kumar Singh, J)

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