

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27380 of 2016

Arising out of PS.Case No. -10 Year- 2015 Thana -SC/ST P.S. District- SARAN

- 1. LIYAKAT ALI ANSARI @ LAKAT ALI ANSARI, son of Aminuddin.
- 2. Asgar Ali.
- 3. Ahmad Ali.
- 4. Muhammad Ali.
- 5. Afasana Khatun. All sons and daughter of Liyakat Ali Ansari.
- 6. Shatrudhan Mahto @ Shatrughan Kumar, son of Baldeo Mahto. All residents of Village- Hakma, P.S.- Garkha, District- Saran (Chapra).

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Arbind Kumar, Advocate.

For the Opposite Party : Mr. Sri Sadanand Paswan, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-07-2016 Heard learned counsel for the petitioners, learned counsel for the Informant and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Saran SC/ST P.S. Case No. 10 of 2015, G.R. No. 948/2015, for the offences instituted under Sections 147, 323, 341, 342, 379, 354/34 I.P.C. and Sections 3(i)(xi) of the SC/ST Act.

As per the prosecution case, the informant Urmila Devi has alleged in her fardbeyan that on the day of occurrence i.e., 02.03.2015 at about 4 P.M. she was going to market and in the way to market the petitioners were also going on their vehicle and

they stopped having seen her and came near and started assaulting and abusing by calling her caste name and fell down on the road due to which she became clothless. In the meantime, the people of the locality came there and saved her.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. Petitioner No. 5 is a lady. The petitioners have falsely been implicated in the present case. The daughter of the petitioner no.1 is married to son of one Md. Salam. The informant happens to be the maidservant of said Md. Salam. Md. Salam has been made accused for an offence under Section 498(A) and other allied Sections of the I.P.C., by the daughter of petitioner no.1, hence, in retaliation, the present case has been instituted with an intention to falsely implicate the petitioners. The occurrence has not taken place in a public view, hence, no offence under SC/ST Act is made out.

On behalf of the learned counsels for the State and the informant, it has been submitted that the petitioners are named in the F.I.R. and they have actively participated in the alleged occurrence.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a

period of six weeks from today in connection with **Saran SC/ST P.S. Case No. 10 of 2015, G.R. No. 948 of 2015** on furnishing bail bond of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned **J.M. Ist Class, Saran at Chapra**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

B.Kr./-

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

(Sudhir Singh, J)