

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3132 of 2016

Arising Out of PS.Case No. -27 Year- 2015 Thana -SC/ST District- KHAGARIA

- =====
1. Narayan Mandal S/o Late Akal Mandal
 2. Birendra Kumar Chaurasia
 3. Suman Kumar Prasad

Both are sons of Sri Narayan Mandal

All are residents of village - Madarpur, P.S. Maheshkut, District -
Khagaria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Opposite Party/s : Mr. Ambika Bhagat (A.Pp)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 20-01-2016

Heard learned counsel for the petitioners and the
State.

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

The prosecution case is that the accused persons
came to the house of the informant and started abusing
by calling caste name. It is alleged that petitioner no. 3,
Suman Kumar Prasad slapped the informant on the order
of petitioner no. 1 Narayan Mandal and his son petitioner
no. 2 Birendra Kumar Chaurasia assaulted the informant
by leg. On alarm being raised, the wife of the informant

came to rescue then petitioner no.2 Birendra Kumar Chaurasaia pushed her down on the ground and dragged towards side of the road.

It is submitted by the learned counsel for the petitioners that for the occurrence of 07.04.2015 the First Information Report was registered on 22.04.2015 and the application of the petitioner under Section 144 proceeding was initiated on 07.04.2015 to the informant's side and thereafter the present case has maliciously been lodged. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent.

Considering the delayed lodging of the case and 144 Cr.P.C. proceeding initiated at earlier point of time, let the above named petitioners be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Khagaria S.C./S.T. P.S. Case No. 27 of 2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

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