

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15701 of 2016

Arising Out of PS.Case No. -109 Year- 2014 Thana -AADAPUR District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Braj Kishor Prasad S/o Vikrama Sah Resident of Village-Majharia,
P.S.-Adapur, District-East Champaran.
 2. Lal Babu Das S/o Late Shivilal Das Resident of Village-Jamunbhar,
P.S.-Adapur, District-East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 03-05-2016

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case instituted under Sections 341, 323, 504/34 of the Indian Penal Code and 3 (1)(i) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the petitioners is that they dashed informant's bi-cycle by their motorcycle. On protest, they abused informant and asked him to withdraw the case. Petitioner no. 2 also assaulted on the hydrocele of the informant and spitted on him.

It is submitted on behalf of the petitioners that petitioner no. 1 has falsely been implicated in the present case. There is admitted land dispute between the parties and for the said reason the present prosecution case has been filed against the petitioners. All the offences are bailable except for the provision under SC and ST Act. It is submitted that the provision of SC and ST Act is not attracted in the present case.

On behalf of the State, it is submitted that petitioners are

named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Raxaul at Motihari, in connection with Adapur P.S. Case no. 109 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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