

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6331 of 2016

Arising Out of PS.Case No. -290 Year- 2015 Thana -DARAUNDA District- SIWAN

- =====
1. Subhash Kumar Yadav @ Subhash Yadav Son of Bharat Yadav
 2. Manager Yadav @ Mangru Yadav Son of Swami Nath Yadav.
 3. Anirudh Yadav S/O Gama Yadav.
 4. Chhotan Dubey Son of Awadhesh Dubey.
 5. Raj Kumar Yadav Son of Madai Yadav.
 6. Guddu Kumar Yadav Son of Baliram Yadav, All are Resident of Village- Rajanpura, P.S. M.H. Nagar, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Dwivedi

For the Opposite Party/s : Mr. Anusuiya Jaiswal(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-02-2016

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506, 379, 34 of the Indian Penal Code and Section 3(1)(x) of the SC & ST (Prevention of Atrocities) Act.

The prosecution case is that when the informant demanded the mobile repairing cost from the petitioner No. 1 Subhash Kumar Yadav, he abused by calling caste name and made an attempt to assault and when the nephew of the informant came to rescue then he was also been assaulted. The petitioner No. 1 took mobile from the mobile shop of the informant.

It is submitted by learned counsel for the petitioners that no injury was caused to either informant or his

nephew. The impugned order reflects that after going through the case diary, learned Sessions Judge has recorded that independent witnesses have not supported the accusation of theft of mobile or abusing the informant and his nephew by calling caste name.

A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Considering the aforesaid facts, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Daraonda(M.H. Nagar) P.S. Case No. 290 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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