

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6534 of 2016

Arising Out of PS.Case No. -42 Year- 2015 Thana -ST/SC (HARIJAN) District- BHABHUA
(KAIMUR)

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1. Maya Devi W/o Kameshwar Singh
2. Amit Kumar Singh @ Amit Kr. @ Amit Singh S/o Kameshwar Singh All
resident of village- Bjrkona, P.S.- Kudra, District-Kaimur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suman Kumari Singh, Adv.

For the Opposite Party/s : Mr. Sadanand Paswan (Spl.App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-02-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 325, 504, 506 and 109/34 of the Indian Penal Code and Section 3 (I) (X) of the SC/ST (Prevention of Atrocities) Act.

It is alleged that petitioner no.2, Amit Kumar Singh was assaulting the son of the informant for damaging his irrigation pipe when the informant and others came to rescue then they were also assaulted and abused by calling caste name.

It is submitted by learned counsel for the petitioners that the petitioner lodged Kudra P.S. Case No. 244 of 2015 on 04.09.2015 at 8.10 PM levelling accusation under Sections 147,

148, 323, 325, 427 and 504 of the IPC against the informant and others and thereafter the present FIR was registered at 11 PM on the same day and petitioner no.2 also received injuries. It is further submitted that the accusation under SC/ST Act is not specific against the petitioners. A statement has been made in para 3 of the petition that the petitioners have no criminal antecedent.

Considering the genesis of occurrence and the case lodged by the petitioners' side at earlier point of time, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M., 1st Class, Bhabhua, Kaimur in connection with Bhabhua SC/ST P.S. Case No. 42 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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