

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11001 of 2016

Arising Out of PS.Case No. -134 Year- 2015 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Sarita Devi Wife of Satendra Yadav
 2. Raj Kishore Prasad @ Raj Kishore Yadav Son of Late Ram Chandra Rai both are residents of village - Khagani, P.S. Turkauliya, District - East Champaran

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Vijay Shankar Shrivastava, Advocate
For the Opposite Party : Mr. Sadanand Paswan, Spl.APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 25-04-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection with Turkauliya P.S. Case No. 134 of 2015 for the offences instituted under Sections 323 and 504/34 of the Indian Penal Code and Section 3(i)(v) of the SC/ST Act and 3/4 of the Dian Act.

As per prosecution case, it is alleged by the informant that on 03.10.2014 at about 8 A.M. she went for worship in the Mai Sthan Mandir and she was doing worship, in the meantime, all the accused persons came there and told that 'Chamar-Dusadh' and the informant objected then all the accused caught her hair and abused her telling *Harijan Dusadh* and forcibly wanted to drink the stool and they also tortured and humiliated the informant.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. The alleged occurrence is said to have taken place on 03.10.2014 but the complaint was filed on 17.10.2014. Delay has not been explained by the prosecution. All the offences are bailable, except for the offence under SC/ST and Dian Act. It is further submitted that none of the provisions of the SC/ST and Dian Act is not attracted in the present case. Petitioners are the next-door neighbours of the informant and due to previous enmity, they have falsely been implicated in the present case.

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

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 Turkauliya P.S. Case No. 134 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 CJM, Motihari, East Champaran, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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