

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13733 of 2016

Arising Out of PS.Case No. -3 Year- 2016 Thana -SC/ST P.S. District- MUZAFFARPUR

- =====
1. Chhedi Rai, Son of Jagarnath Rai
 2. Rajeev Rai, Son of Sonelal Rai
 3. Ranjeet Rai, Son of Babu Lal Rai
 4. Bainathi Rai @ Baidynath Rai, Son of Late Bhadai Rai

All residents of village - Goriari, P.S.-Karja, District - Muzaffarpur.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate

For the Opposite Party/s : Mr. Sadanand Paswan, Special P.P.

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 31-03-2016

Heard learned counsel for the petitioners and learned
Special Public Prosecutor for the State.

The petitioners seek pre-arrest bail in connection
with S.C./S.T. P.S. Case No. 03 of 2016 registered under
Sections 341, 323, 325, 427, 379, 504 and 506 read with 34 of
the Indian Penal Code as also Section 3(1)(x) of the Scheduled
Castes & Scheduled Tribes (Prevention of Atrocities) Act.

It is contended that the petitioners have been
implicated in an out and out false case. The informant of the



case is a neighbour of the petitioners. The alleged occurrence is said to have taken place on 17th December, 2015, but the information was given to the police on 05.01.2016 on the basis of which the FIR has been registered and there is no plausible explanation for the undue delay caused in institution of the FIR. It is further contended that there is absolutely no truth behind the allegation that the informant had sustained any injury on the relevant date and time of occurrence.

Learned Special Public Prosecutor for the State has opposed the application for grant of pre-arrest bail to the petitioners. He has contended that the informant is a poor person and he did not institute the case, as initially, he wanted the case to be resolved through panchayati. However, when the matter could not be resolved in panchayati, the instant police case was registered.

Be that as it may, regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within six weeks from today, the petitioners above named are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. (West), Muzaffarpur in connection with S.C./S.T. P.S.

Case No. 03 of 2016 subject to the conditions as laid down
under Section 438(2) Cr. P.C.

Sanjeet/-

(Ashwani Kumar Singh, J.)

U		T	
---	--	---	--