

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15633 of 2016

Arising out of PS.Case No. -27 Year- 2013 Thana -SC/ST District- BANKA

1. Hari Yadav, son of late Khyali Yadav.
2. Satrugan Yadav, son of Hari Yadav.
3. Chakradhar Yadav, son of Hari Yadav.
4. Amod Yadav, son of Hari Yadav.
5. Sanjay Sharma, son of Chandra Shekhar Sharma @ Chunchun Sharma.
All village- Bhikhanpur, P.S. Amarpura, District- Banka.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Brij Nandad Prasad, Advocate.

For the Opposite Party : Mr. Ram Shankar Das (Spl.Pp)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 03-05-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection with Banka SC/ST P.S. Case No. 27 of 2013 for the offences instituted under Sections 341, 323, 447, 384, 504, 506/34 of the IPC and 3(1)(x) of the SC/ST (Prevention of Atrocities) Act.

The accusations are of assaulting the informant and abusing by her caste name by accused persons. The accused persons also demanded Rs. 50,000/- from the informant as a ransom.

The petitioners were granted anticipatory bail by the Sessions Court vide A.B.P. No. 1848/2013 vide order dated

30.10.2013. The petitioners were to surrender within a period of two weeks. Thereafter, the petitioners could not surrender within the said period and filed a petition for modification of the said order after a period of six weeks. Learned court below granted them another two weeks time to surrender by modifying the earlier order. After a period of two years, again a modification application was filed seeking permission to extend the period of surrender. The Sessions Court rejected the said application and the petitioners have preferred the present application against the said order.

I do not find any merit in the present application of the petitioners nor there is any valid explanation given by the petitioners for extending the period of surrender.

Accordingly, the present application is dismissed in connection with Banka SC/ST P.S. Case No. 27/2013, pending in the court of the learned J.M. Ist Class, Banka. Anyhow, if the petitioners surrender in the court below the same shall be considered on its own merit without being prejudiced by the order of this Court taking into account the petitioners were granted anticipatory bail earlier by the Court of Sessions.

U.K./-

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

(Sudhir Singh, J)