

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12255 of 2016

Arising Out of PS.Case No. -225 Year- 2014 Thana -RAGHOPUR District- SUPAUL

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1. Uttim Lal Yadav @ Uttam Lal Yadav
2. Ram Sewak Yadav
3. Bindeshwari Yadav, all Sons of Darpi Yadav
4. Resham Lal Yadav
5. Kushum Lal Yadav, both sons of Late Adhik Lal Yadav
6. Laxmi Yadav
7. Shiv Narayan Yadav both sons of Late Prithvi Yadav, all are residents of
Village - Ram Bishanpur, Police Station - Raghopur, District - Supaul.
..... Petitioners

Versus

The State of Bihar.

..... Opposite Party

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Appearance :

For the Petitioners : Mr. Arun, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 17-03-2016 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 323, 341, 353, 379/34 of the Indian Penal Code and Section 3(i) (x) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act registered in connection with Raghopur P.S. Case No. 225 of 2014.

3. It is submitted that the petitioners have been falsely implicated and in any event, even on the averments made in the first information report, ingredients of Section 3(i) (x) of the Scheduled Castes & Scheduled Tribes (Prevention of

Atrocities) Act are not made out. The occurrence has neither been stated to have transpired in public view, nor there is any averment with regard to the accused persons not belonging to the scheduled castes & scheduled tribes category. Moreover, the present case has been instituted in retaliation to Complaint Case No. 494 (C) of 2014 filed at the instance of petitioner no.1

4. Having regard to the entirety of the facts and circumstances of the case, as such, in the event of the arrest or surrender of the petitioners before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Birpur (Supaul) in connection with Raghopur P.S. Case No. 255 of 2014, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Vikash Jain, J)

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