

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.18232 of 2016

Arising Out of PS.Case No. -32 Year- 2016 Thana -ARA HARIJAN District- BHOJPUR

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1. Krishna Kumar S/o Nand Bihari Yadav
2. Manoj Kumar S/o Late Damodar Yadav
3. Awadh Bihari Yadav @ Awadh Bihari Singh @ Awadh Bihari S/O
Mahavir Yadav All R/O Village- Behea, P.S.- Behea, District- Bhojpur
..... Petitioners

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioners : Mrs. Rina Sinha, Advocate

For the State : Mr. Ram Shankar Das, Special P.P.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL ORDER

2 02-05-2016 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case registered for the offences punishable under sections 323, 324, 341, 354B and 504 of the Indian Penal Code and section 3(i)(x)(xi) of the Scheduled Castes and Scheduled Tribes(Prevention of Atrocities) Act.

As per the allegation, the petitioners and one another accused assaulted the informant taking caste name. The petitioner no. 1 is stated to have assaulted on the head of the informant and all of them tried to outrage the modesty of the wife of the informant.

It is contended on behalf of the petitioners that this is not the first time a case has been lodged against them. It is stated that the cousin brother of the informant had earlier lodged a case

which has been supervised by the Sub Divisional Police Officer who came to the conclusion that, in view of the transaction of registered sale deed with respect to some land and dispute arising out of that, a false accusation was made and, after the final form was submitted in that case, again a case has been lodged against the petitioners. It is also contended that the petitioners' side has also lodged a case bearing Bihia Police Station Case No. 48 of 2016, thus, there is a case and counter case between the parties.

Having regard to the facts and circumstances of the case, let the abovenamed petitioners, namely, Krishna Kumar, Manoj Kumar and Awadh Bihari Yadav @ Awadh Bihari Singh @ Awadh Bihari, be released on bail in the event of arrest/surrender before the court below within a period of six weeks from today in Ara SC/ST P.S. Case No. 32/16 on furnishing bail bonds of Rs.10,000/- (Ten Thousand Rupees) each with two sureties of the like amount each to the satisfaction of the A.C.J.M., V, Bhojpur at Ara subject to the conditions laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

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