

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27213 of 2016

Arising Out of PS.Case No. -6 Year- 2016 Thana -SC/ST District- JEHANABAD

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1. Yamuna Yadav son of Late Ganauri Yadav.
 2. Ashok Yadav son of Yamuna Yadav.
 3. Sewak Yadav son of Yamuna Yadav.
 4. Sudhir Yadav son of Yamuna Yadav. All are resident of village- Hridaychak, Police Station- Kaler, District- Arwal.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-07-2016

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case instituted under Sections 448, 323, 307, 504, 506, 379 and 34 of the Indian Penal Code and Section 3 (1) (5) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the petitioners is that they came, abused and assaulted the informant and his wife as they did not want informant's wife to fight in the Panchayat Election.

It is submitted on behalf of the petitioners that they have got no criminal antecedent. He has falsely been implicated in the present case. From perusal of the impugned order it appears that there is no injury report to support the allegation made in the F.I.R. Hence, no offence under Section 307 of the Indian Penal Code is made out. Since the alleged occurrence has not taken place in public view, hence, no offence under SC and ST Act is attracted in the present case.

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

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate, Arwal, in connection with Arwal SC/ST P.S. Case no. 06 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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