

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32827 of 2016

Arising Out of PS.Case No. -630 Year- 2012 Thana -SITAMARHI District- SITAMARHI

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1. Manoj Kumar Son of Kedar Rahi Resident of Village- Lodipur, P.S. Hajipur Town , District Vaishali
2. Navneet Kumar Thakur Son of Lalan Thakur, Resident of Village- Dumri, P.S. Sarai, District Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur

For the Opposite Party/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

2 02-09-2016 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with a case registered for the offences punishable under Sections 467/468/406/420/120(B) of the Indian Penal Code read with Section (3)(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Learned counsel for the petitioners submits that the provisions of Section (3)(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, have been brought in only to aggravate the charges against the petitioners. It is further submitted that no case under Section (3)(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities)

Act, 1989 is made out as admittedly, there is no allegation of taking caste name being used at a public place and in a public view. Learned counsel for the petitioners further submits that whatever be the nature of allegations, it is only the directors of the company and its owner who can be roped in for the charges levelled. It is submitted that the petitioners are merely employees and have no role to play in the administration of the said organization.

Having heard learned counsel for the petitioners and learned counsel for the State and also on consideration of all facts and circumstances and also there being no criminal antecedent against the petitioners, let the petitioners abovenamed, in the event of their arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi, in connection with Sitamarhi P.S. Case No. 630/2012, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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