

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.8141 of 2016

Arising Out of PS.Case No. -29 Year- 2015 Thana -SC/ST PS District- SUPAUL

1. Sanjay Yadav @ Sanoj Yadav Son of Alaph Yadav
2. Manoj Yadav Son of Alaph Yadav
3. Alaph Yadav Son of late Gyanchand Yadav All of them are resident of Village Bairo P.s and District Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

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

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 24-02-2016 Heard learned counsel for the petitioners and
learned Special P.P. for the State

The petitioners apprehend their arrest in connection
with SC/ST P.S. Supaul Case No. 29/15 registered for offences
punishable under Sections 147, 341, 323, 379, 504, 506 of the
Indian Penal Code and 3 (I)(VII) (X) S.C./S.T. Act.

The prosecution case, on the basis of a written
report by one Ram Prasad Paswan to the S.H.O. of SC/ST P.S. ,
Supaul on 14.11.2015 alleging therein that on 08.11.2015 at about
5 O'clock in evening, the petitioners alongwith 4-5 unknown
persons armed with weapons came before his house and abused
and exhorted him and his family members that all "Dushads"



have not cast their votes in favour of their party and so they will not spare any of them. When the informant asked them not to abuse, petitioner No.1 ordered to assault all of them. It is further alleged that thereafter, all the accused persons caught hold the informant and humiliated him by abusing him in his caste name in presence of the persons present there. It is further alleged that when the other family members of informant and his other caste men came to his rescue then also the accused persons abused and assaulted by calling their caste name. It is further alleged that in course of scuffle petitioner No. 3 snatched Rs. 1500/- cash from the pocket of informant while petitioner No. 1 and 2 entered his house and has taken away money and silver ornaments and also while going, they threatened the informant of dire consequences, if he will inform any body about the alleged occurrence.

It has been submitted by the learned counsel for the petitioners that they are innocent and have committed no offence. In fact, the aforesaid case is a counter blast to an earlier case bearing Supaul P.S. Case No. 473 of 2015 regarding the same incident which indicates there was personal enmity between both the petitioner's side and informant's side.

It has been further submitted by the learned counsel for the petitioner that petitioners' side and the informant's side

belonged to the same village and now the matter has been compromised between them. However, learned Special P.P. submits that the petitioners are named in the F.I.R. and opposes the prayer for bail.

Be that as it may, let the above named petitioners in the event of their arrest or surrender before the Court below within a period of eight weeks from today 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 Addl.Chief Judicial Magistrate- III, Supaul, in connection with SC/ST Supaul P.S.Case No. 29/2015, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Nilu Agrawal, J)

Sudha/-

U			
---	--	--	--