

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46895 of 2015

Arising Out of PS.Case No. -108 Year- 2015 Thana -BIHRA District- SAHARSA

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1. Om Prakash Chaudhary Son of Surya Narayan Chaudhary
 2. Jay Prakash Chaudhary Son of Surya Narayan Chaudhary Both R/o Village Lalganj, P.O. Bara, P.S. Bihra, District Saharsa

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Pramod Mishra, Advocate

For the Opposite Party : Mr. Ram Shankar Das, Spl.App

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 17-03-2016 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Bihra P.S. Case No. 108 of 2015 for the offences instituted under Sections 341, 323, 324, 504 and 34 of the Indian Penal Code and Section 3(i)(x) of SC/ST(Prevention of Atrocities) Act.

As per prosecution case that on 30.05.2015 the informant and his wife were returning home after purchasing medicine and when he reached near transformer then all the named accused persons riding on the motorcycle touch with her wife and used derogatory language against the caste name of the informant and demanded dues of shop and also assaulting him.

It has been submitted on behalf of the petitioners that the petitioners have falsely been implicated in the present case. As far as the offences under SC/ST Act is concerned, the same is not attracted against the petitioners. From perusal of Annexure-2, it is evident that the matter has been settled between the parties.

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

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Bihra P.S. Case No. 108 of 2015 on furnishing bail bond of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Saharsa, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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