

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18650 of 2016

Arising Out of PS.Case No. -476 Year- 2015 Thana -GOPALGANJ CITY District- GOPALGANJ

- =====
1. Sadik Sai S/o Noor Mohammad
2. Jabir Ali S/o Sadik Sai, Both Residents of at- Dargah Road, Ward No. 25,
P.S.- Gopalganj, District- Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. Ambika Bhagat(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 03-05-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147,148,149,341,323,307,354,504,506 and 379 of the Indian Penal Code and section 3(1)(x) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act.

The prosecution case is that the accused persons came variously armed on the shop of the informant and started abusing by calling the caste name. On protest being made the accused persons assaulted the informant. It is specifically alleged that co accused Asif Ali assaulted with iron rod on the head of the informant. On alarm being raised the husband and daughter of the

informant came to rescue then the were also assaulted. It is further alleged that co accused Amin Ali took away ten thousand rupees from the cash box and also snatched mangalsutra of the informant.

It is submitted by the learned counsel for the petitioners that the accusation is omnibus and general against the petitioners. The specific accusation is only against co accused Asif and Amin Ali. Co accused Asif caused grievous injury to the informant.

It is submitted by learned counsel for the State that the injury of the informant has been found to be grievous and chargesheet has already been submitted.

Considering the fact that specific accusation has not been levelled against the petitioners, let the learned court below consider the prayer for regular bail of the petitioners in case the petitioners surrender within six weeks from today in connection with Gopalganj Town P.S. Case No. 476 of 2015 pending in the court of learned C.J.M. Gopalganj.

This application is disposed of with the aforesaid observation/direction.

(Dinesh Kumar Singh, J)

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