

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10713 of 2016

Arising Out of PS.Case No. -55 Year- 2015 Thana -ST/SC (HARIJAN) District- BHABHUA
(KAIMUR)

- =====
1. Hamsher Yadav @ Ramsher Yadav
 2. Shamser Yadav,
 3. Samar Yadav, All son of Baliram yadav, Resident of Village - Dih -
Bhujaina, P.S. - Chuinpur, District - Kaimur, Bhabhua.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-04-2016 Learned counsel for the petitioners seeks permission to withdraw this application as against petitioner no. 3, same is dismissed as withdrawn.

Heard learned counsel for the petitioner nos. 1 and 2 and the State.

The petitioners are apprehending their arrest in a case instituted under Sections 41, 323, 379, 504 and 506 of the Indian Penal Code and 3 (i) (x) (xi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the petitioners is that they abused and assaulted informant saying that they would not allow him to run his vehicle on the road. They also pulled hair of his wife and she fallen down and they got her seminaked. Petitioner no. 1 had taken away Rs.10,000/- from the pocket of informant.

It is submitted on behalf of the petitioners that they have falsely been implicated in the present case due to dispute of the taxi stand which is in front of the house of informant. Petitioners also run their vehicle on taxi and informant also runs his vehicle

on taxi. Due to their business rivalry the present case has been instituted against the petitioners. As far as the provision under SC and ST Act is concerned, same is not attracted in the present case.

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

Considering the aforesaid facts and circumstances, let the above named petitioner nos. 1 and 2, in the event of 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 Chief Judicial Magistrate, Kaimur at Bhabhua, in connection with SC/ST (Bhabhua) P.S. Case no. 55 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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