

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51664 of 2014

Arising Out of PS.Case No. -220 Year- 2013 Thana -BISFI District- MADHUBANI

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1. Sri Chandra Paswan @ Srichan Paswan son of Late Ayodhi Paswan
 2. Yogi Yadav son of Late Asharfi Yadav No. 1 and 2 are Resident of Ajanauli, P.S. Bisfi (Patauna), District- Madhubani
 3. Prem Sah son of Mauze Sah
 4. Gokhul Sah son of Jogindra Sah No. 3 and 4 are resident of village- Yadupatti P.S. Bisfi (Patauna), District Madhubani

.... Petitioner/s

Versus

1. The State of Bihar
2. Lalit Kumar Safi son of Mahabir Safi, Resident of village- Ajmauli, P.S. Bisfi (Patauna), District- Madhubani

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saroj Kumar

For the Opposite Party/s : Mr. Mustaque Alam (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 21-11-2017 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The learned counsel for the petitioners submits that petitioner no.1 is himself a member of Scheduled caste and as such against him no offence under section 3 (i) (x) of the SC/ST Act can be said to be made out and further the occurrence being not in the public view. The learned A.P.P. submits that all these things can very well be adjudged at the time of framing of charge and not at this stage. The learned counsel for the petitioners submits that liberty be given to the petitioners to raise all these



points at the time of framing of charge.

Accordingly, this Criminal Miscellaneous is hereby disposed of at the admission stage itself with liberty to the petitioners to raise all these points at the time of framing of charge.

(Jitendra Mohan Sharma, J)

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