

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19812 of 2017

Arising Out of PS.Case No. -152 Year- 2016 Thana -AURAI District- MUZAFFARPUR

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1. Chandeshwar Thakur @ Chandeshwar Sharma, Son of Ramsurat Thakur,
2. Shanti Devi, Wife of Chandeshwar Thakur,
3. Shankar Thakur, Son of Late Yogendra Thakur,
4. Bachchi Devi @ Bachiya Devi, Wife of Late Yogendra Thakur,
5. Leela Devi, Wife of Shankar Thakur, All Resident of Village- Khetalpur,
P.S.- Aurai, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No.II

For the Opposite Party/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

5 31-05-2017 Heard learned counsel for the petitioners and the

State.

The petitioners are apprehending their arrest in connection with Aurai P.S. Case No. 152 of 2016 registered for the offences under sections 147, 148, 149, 341, 323, 353, 504 and 506 of the Indian Penal Code and section 3(1) (x) of SC/ST Prevention of Atrocities Act.

Vide order dated 06.04.2017, this Hon'ble Court has clarified that the accused belongs to the same community and on account thereof, instant case should not have been registered under the SC/ST Prevention of Atrocities Act.



From perusal of FIR, it appears that the allegation against the petitioners are obstructing the government official in discharging their duties.

Paragraph 3 of the petition reads as follows:-

“That the petitioners have got no criminal antecedent at all.”

In view of statement made in para 3 that the petitioners have no criminal antecedent, I am inclined to enlarge the petitioners, named above on bail, in the event of arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of 3rd Additional Sessions Judge-cum-Special Judge SC/ST (POA) Act, Muzaffarpur, in connection with Aurai P.S. Case No. 152 of 2016, subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Anil Kumar Upadhyay, J)

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