

IN THE HIGH COURT OF JUDICATURE AT PATNA

Cr.Misc. No.17248 of 2011

Raj Kishore Thakur And Ors.

Versus

The State Of Bihar

4. 30.06.2011. Heard the learned counsels for the petitioners and the State.

The petitioners are apprehending their arrest in complaint case in which cognizance has been taken under Sections 341, 323, 379 of the Indian Penal Code and Section 3(1)(III)(IV) of the S.C./S.T.(Prevention of Atrocities)Act.

The accusation was of making assault, committing theft and abusing the informant's side by calling his caste's name. Initially the cognizance was taken under provisions of the I. P. C. when the petitioners were granted regular bail. Subsequently, the complainant challenged the cognizance order which was quashed by the revisional court and the learned court below was directed to pass afresh order and consequently present cognizance order has been passed under the S.C./S.T.(Prevention of Atrocities)Act also on 27.01.2011.

Considering the fact that for the

occurrence of 2005 cognizance order has been passed in 2011 and on the basis of initial cognizance order, the petitioners were on bail, let the petitioners, Raj Kishore Thakur, Lal Babu Thakur, Braj Kishore Thakur @ Baraj Kishore Thakur, Hardeo Thakur and Ranjeet Thakur, be released on bail in the event of arrest or surrender before the learned court below within a period of twelve weeks from today in connection with complaint case no. 2138 of 2005 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 C.J.M. East Champaran, Motihari, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U. K.

(Dinesh Kumar Singh, J)