

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40984 of 2015

Arising Out of PS.Case No. -63 Year- 2015 Thana -DIGHA District- PATNA

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1. Santu Rai, S/o Sri Bachhu Rai.
 2. Mantu Rai, S/o Sri Bachhu Rai.
 3. Kariman Rai, S/o Sri Bachhu Rai.
 4. Dhunuk Rai, S/o Late Chandeshwar Rai. All are resident of village- Kurji Gate No.- 72, P.S.- Digha, Distt- Patna.
 5. Manoj Rai, S/o Sri Gorakh Rai, R/v- Biscuit Factory Road, Nasariganj, P.S.- Danapur, Distt- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. Rajiv Nayan (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 29-10-2015 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners seek bail in a case registered for the offences punishable under Section 307 and other Sections of the Indian Penal Code along with section 3(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

As per the prosecution story, the petitioners are alleged to have assaulted the informant's side and want to take possession of the land which belongs to informant by force.

It has been submitted of behalf of the petitioners that the petitioner Nos. 1, 2 and 5 are in custody since 01.07.2015 and petitioner Nos. 3 and 4 are in custody since 25.06.2015

respectively. Chargesheet has been submitted in the present case. There is no allegation of tempering with the evidence against these petitioners. Petitioners have falsely been implicated in this case. There is admitted land dispute between the parties. There is proceeding under Section 107 Cr. P.C. pending between the parties. It is further submitted that the petitioners may be released after completion of six months in custody from 25.06.2015.

It has been submitted on behalf of the State and counsel for the informant that petitioners are named in the First Information Report. There are other criminal cases also against the petitioners.

Considering the aforesaid facts and circumstances, it is directed that the petitioners may be released after completion of six months from the date of custody on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Md. Enam Khan, J.M. 1st Class, Patna in connection with Digha P.S. Case No. 63 of 2015.

(Sudhir Singh, J)

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