

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48984 of 2014

Arising Out of PS.Case No. -159 Year- 2013 Thana -GARKHA District- SARAN

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1. Meghnath Prasad
 2. Umesh Prasad @ Amresh Prasad
 3. Mahesh Prasad All are sons of Pala Prasad
 4. Pala Prasad Son of Judagi Prasad all are resident of Village - Jalal Nasant, P.S. - Garkha, Distt - Saran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Ambika Bhagat(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 30-04-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioners apprehend their arrest in connection with Gorkha P.S. Case No. 159 of 2013 registered for the offences punishable under Sections 341, 323 and 504/34 of the Indian Penal Code and Section 3 (i) (x) of the SC/ST (Prevention of Atrocities) Act.

Learned counsel for the petitioners submits that the present case has been lodged against the petitioner only due to vendetta and political rivalry by the Mukhiya of the village. It is further submitted that the petitioners have no concern whatsoever with the lands, in question, which was subject matter of the land

ceiling case where the measurement was being done by the Advocate Commissioner. It is further submitted that admittedly, the occurrence has taken place at a place which is a private land and subject matter of the dispute referred to in the First Information Report as such, no case is made out under the SC/ST (Prevention of Atrocities) Act.

Taking into consideration the aforesaid submissions and also the fact the petitioners have no criminal antecedents, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of two weeks from the date of receipt/production of a copy of this order, is/are directed to be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saran, Chapra in connection with Gorkha P.S. Case No. 159 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C..

(Anjana Mishra, J)

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