

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1643 of 2015

Arising Out of PS.Case No. -15 Year- 2013 Thana -SC/ST District- JAMUI

- =====
1. Ramnandan Mishra @ Ramanand Mishra
 2. Shivnandan Mishra @ Shivanand Mishra @ Shivnand Mishra
- Both sons of late Mundeo Mishra, Resident of village – Chitauni, P.S. Sikandra, District – Jamui.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh

For the Opposite Party/s : Mr. Ram Shankar Das (Spl.Pp)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 15-01-2015

Heard learned counsels for the petitioners and

the State.

The petitioners are languishing in custody since 24.11.2013 and 23.11.2014 in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 427, 504 of the Indian Penal Code and Sections 3(1) (i) (ii) (v) (viii) (x) (xv) of SC/ST (Prevention of Atrocities) Act.

Accusation is of not allowing the informant's side to take water from the hand-pump and abusing the informant by calling caste name.

It is submitted by learned counsel for the petitioners that the present case has been filed for accusation for the period between 04.07.2012 to 01.03.2013, whereas with the

similar accusation the Complaint Case No. 1544(C) of 2012 was filed for the occurrence of 27.09.2012 by the wife of the present informant in which the petitioners have been granted bail vide order dated 19.03.2014 passed in Cr. Misc. No. 51465 of 2013, as contained in Annexure-4, holding that prima facie case under the provisions of SC/ST Act is not made out. It is further submitted that there is land dispute between the parties and a proceeding under Section 107 of the Code of Criminal Procedure is pending between the parties.

Considering the aforesaid facts, let the above named petitioners, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Jamui in connection with Jamui SC/ST P.S. Case No. 15 of 2013.

(Dinesh Kumar Singh, J)

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