

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4763 of 2015

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1. Bharat Ram Son of Late Bideshi Ram
2. Saroj Devi Wife of Bharat Ram
3. Satish Kumar Son of Bharat Ram All Resident of Mohalla- Dhelwan ,
P.S. - Ramkrishna Nagar, District- Patna.
4. Rajesh Kumar Son of Ram Sarup Ram
5. Poonam Kumari Wife of Rajesh Kumar Both Resident of village-
Prahladchak, P.S. - Fatuha, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyavrat Verma

For the Opposite Party/s : Mr. Sadanand Paswan(Spl.App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-02-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Section 3 (I) (VIII) of the SC/ST (Prevention of Atrocities) Act.

It is alleged that on 13.08.1998, the petitioners' side were disturbing the possession of the informant over Plot No. 87, Khata No. 35 and on protest being made, the son of the informant was assaulted and when the wife of the informant went to rescue his son, then she was also assaulted when golden chain was snatched and 20 bags of cement and 3 quintals of iron rod were taken away from the land in question.

It is submitted by learned counsel for the petitioners that

for the occurrence of 13.08.1998, SC/ST Minority Patna P.S. Case No. 18 of 2006 was registered in which police submitted final form and thereafter, for the same occurrence of 13.08.1998, the present case has been lodged making accusation under Section 3 (I) (VII) of the SC/ST (Prevention of Atrocities) Act. Prima facie the accusation appears to be frivolous.

Considering the delayed lodging of the case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M., Patna in connection with Ram Krishna Nagar P.S. Case No. 72 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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