

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14729 of 2015

Arising Out of PS.Case No. -11 Year- 2015 Thana -BARACHATTI District- GAYA

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1. Bechan Prasad Son of Dasu Mahto,
2. Bindeshwar Prasad, Son of Dasu Mahto
3. Anil Prasad, Son of Balkrishun Mahto,
4. Ishwar Prasad, Son of Bechu Mahto,
5. Birendra Kumar, Son of Balkishun Mahto, All resident of village -
Tiwarichak, P.S. - Barachatti, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Saxena

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 10-04-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147,148,149,452,323 and 382 of the Indian Penal Code, section 27 of the Arms Act and sections 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

It is alleged that the accused persons including the petitioners entered into the house of the informant and committed theft when protest was made, the accused persons escaped from the scene.

It is submitted by the learned counsel for the petitioners

that even assuming the accusation, no offence under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act is made out. It is further submitted that the own brother of the informant is accused in Barachatti P.S. Case No. 411 of 2013 registered under sections 376 and 306/34 IPC lodged by petitioner no. 1. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the case lodged by the petitioners' side at earlier point of time, 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 twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned JM Ist Class, Sherghati at Gaya in connection with Barachatti P.S. Case No. 11 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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