

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20676 of 2015

Arising Out of PS.Case No. -3 Year- 2013 Thana -SC/ST District- SAHARSA

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1. Mohan Mandal, son of Late Bhim Mandal
 2. Janardan Mandal, son of Late Bhim Mandal.
 3. Rajo Mandal@Raju Mandal, son of Late Bhim Mandal
 4. Wakil Mukhiya, son of Sitavari Mukhiya All are residents of Village- Bariyahi, P.S. - Nauhatta, District- Saharsa.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra
For the Opposite Party/s : Mr. Sadanand Paswan(Spl.PP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 29-09-2015 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Saharsa SC/ST P.S.Case No. 03/13 registered under Sections 323, 341, 504, 506 of the Indian Penal Code and Section 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Learned counsel for the petitioners submits that the entire allegation made against these petitioners is false and fabricated. So far as the allegation leveled against these petitioners with regard to the provisions of SC/ST Act is concerned, learned counsel for the petitioners submits that no case has been made out against them

under the said section and it cannot be said to be the case under the purview of the said Act and there are no independent witnesses nor the alleged occurrence has taken place at a public place.

Considering the aforementioned facts and circumstances, let these petitioners, above named, in the event of their arrest or surrender in the court below within a period of three weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each in connection with Saharsa SC/ST P.S.Case No. 03/13 to the satisfaction of the Chief Judicial Magistrate, Saharsa, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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