

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21014 of 2015

Arising Out of PS.Case No. -18 Year- 2014 Thana -SC/ST District- MADHUBANI

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1. Mushai Sah Son of Late Bundi Sah
2. Surjit Devi, Wife of Mushai Sah

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate

For the Opposite Party/s : Mr. Jagdhar Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 19-05-2015 Heard learned counsels for the petitioners and the

State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341/323/379/354/504/34 of the Indian Penal Code and section 3(1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

It is alleged that when the informant was putting pillars on his land measured by '*amin*' then the accused persons abused by calling caste name and assaulted the informant. It is further alleged that petitioner no.1 Musai Sah snatched Mangal Sutra worth Rs.15,000/- from the neck of the informant.

It is submitted by learned counsel for the petitioners that the petitioner is adjacent '*raiya*t' of the informant and in the

background of *bond fide* land dispute the accusation has been levelled. There is nothing to suggest that the occurrence took place in the public view and for the occurrence of 27.03.2014, the FIR was registered on 29.03.2014.

Considering the delayed lodging of the case and the accusation has been levelled in the background of land dispute, 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 ACJM, Jhanjharpur, Madhubani in connection with Madhubani SC/ST P.S. Case No.18 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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