

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34404 of 2014

Arising Out of PS.Case No. -108 Year- 2013 Thana -MADHEPUR District- MADHUBANI

Kailash Devi W/O Shiv Kumar Sah
Shiv Kumar @ Shiv Kumar Sahu
Raja sah son of Shiv Kumar Sah
Raju Sah son of Shiv Kumar Sah

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

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

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 16-02-2015

Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Madhepur Police Station Case No. 108 of 2013 registered for the
offences punishable under Sections 341, 323, and 504/34 of the
Indian Penal Code.

Admittedly, except section 3(x) SC/ST Prevention of
Atrocities Act, almost all the sections are bailable in nature and so
far as, Section 3(x) SC/ST Prevention of Atrocities Act is
concerned, prima facie application of the aforesaid provision
appears to be doubtful. There is case and counter case between the
parties and it appears that the present case was lodged on account
of land dispute.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioners, in the event of their arrest/surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Jhanjharpur in Madhepur Police Station Case No. 108 of 2013 , subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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