

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33802 of 2014

Arising Out of PS.Case No. -16 Year- 2013 Thana -SC/ST District- MADHUBANI

1. Rajesh Kumar Jha.
2. Gagan Jha.
3. Naresh Jha.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Subhash Kumar Jha, Advocates.
For the Opposite Party : Mr. Ramshankar Das(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-02-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 379, 504/34 of the Indian Penal Code and 3(1)(x) of the SC/ST (Prevention of Atrocities) Act.

It is alleged that the petitioners abused the informant by calling caste name, assaulted and theft was committed for a dispute with regard to roadway.

Learned counsel for the petitioners has submitted that the writ has also been filed with regard to dispute of roadway and for that accusation has been levelled when admittedly offence under

SC/ST has not taken place in a public view. Hence cognizance taken under 3(1)(x) of the SC/ST (Prevention of Atrocities Act) is not applicable. Though earlier one case has also been filed by other person with regard to dispute of roadway on the same land.

Considering the accusation in the background of bonafide land dispute, let the petitioners, above named, be released on bail in the event of arrest or surrender before the learned court below within a period of twelve weeks from today in connection with Madhubani SC/ST P.S. Case No. 16/2013 (G.R. No. 744 of 2013)on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M.Ist Class, Madhubani, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Dinesh Kumar Singh, J)

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