

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2219 of 2015

Arising Out of PS.Case No. -71 Year- 2014 Thana -HARIJAN PS. District- NALANDA
(BIHARSHARIFF)

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1. Libu Mahto Son of Prabhu Mahto
 2. Mantu Mahto Son of Anuj Mahto
 3. Nitesh Kumar @ Nitish Kumar Son of Shoshan Mahto
 4. Sanjay Prasad Son of Naresh Mahto
 5. Gore Mahto Son of Bachchu Mahto
 6. Dharo Mahto
 7. Kamo Mahto Both Sons of Lakhan Mahto All resident of Village - Kenar Kala, P.S- Sarmera, District - Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar

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

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

6 22-06-2015 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with SC/ST P.S. Case No. 71 of 2014 registered for the offence under Sections-379, 354A & other minor sections of the Indian Penal Code and Sections-3(i)(x)(xi) of SC/ST (Prevention of Atrocities) Act.

Almost all the sections, except Sections-379, 354A of the Indian Penal Code and Section-3(i)(x)(xi) of SC/ST (Prevention of Atrocities) Act, are bailable in nature.

The contention on behalf of the petitioners is that ponds of the village were settled with the fisheries Societies of the petitioners and the informant demanded fish from the petitioners and when they refused to oblige the informant, the informant lodged this false case. It is further contended by him that so far as the application of SC/ST (Prevention) of Atrocities Act is concerned; the same appears to be not applicable in this case.

Considering the facts and circumstances of the case as well as submission of the parties, let the petitioners named above, in the event of their arrest or surrender within four weeks from the date of receipt/production of copy of the order in the court below, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with SC/ST P.S. Case No. 71 of 2014 to the satisfaction of Learned Chief Judicial Magistrate, Nalanda at Bihar Sharif subject to conditions as laid down u/S 438(2) of the Code of Criminal Procedure.

A.K.V./-

(Hemant Kumar Srivastava, J)

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