

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30448 of 2015

Arising Out of PS.Case No. -165 Year- 2013 Thana -HARIZAN District- BEGUSARAI

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1. MANOJ SINGH @ MANOJ @BABLOO SINGH son of Late Ram Balak Singh.
2. Fultun Singh @ Phultun Singh @ Rajesh Singh
3. Mukesh Singh
All sons of Jagdeo Singh
4. Madan Singh @ Madan Kumar Singh son of Shivnandan Singh @ Malhu Singh
All residents of village Naula, P.S. Bhagwanpur, District Begusarai
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kaushal Kumar Singh
For the Opposite Party/s : Mr. Ambika Bhagat(Spl.App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 07-08-2015 Heard learned counsel for the petitioner and
learned counsel for the State.

The petitioners apprehend their arrest in connection with Begusarai SC/ST P.S. Case No. 165 of 2013 registered for the offences punishable under Sections 147, 341, 323, 504 and 506 of the Indian Penal Code and Section 3(x) of the SC/ST (Prevention of Atrocities) Act.

Learned counsel for the petitioners submits that the provision of Section 3 (x) of the SC/ST Act cannot be attracted, as admittedly the occurrence has taken place in between the cow shed and house of the informant. It is further submitted that there is no eye witness to the occurrence therefore; it cannot be come within the purview of the public

place having no independent witness. It is further submitted that so far as petitioner nos. 2 and 4 is concerned, they have no criminal antecedent whereas petitioner nos. 1 and 3 are concerned, they have been earlier implicated in a case registered in between the Gotias in the year 2006.

Considering the aforesaid submissions, let the petitioners above named, in the event of their arrest or surrender before the Court below within a period of three weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Begusarai in connection with Begusarai SC/ST P.S. Case No. 165 of 2013, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

(Anjana Mishra, J)

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