

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30458 of 2015

Arising Out of PS.Case No. -562 Year- 2014 Thana -HILSA District- NALANDA
(BIHARSHARIFF)

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1. Yogendra Mistri
2. Gariban Mistri
Both are sons of Late Jagan Mistri, resident of village Nadwar, P.S. Hilsa,
District Nalanda Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra
For the Opposite Party/s : Mr. Ram Shankar Das (Spl.Pp)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 07-08-2015 Heard learned counsel for the petitioners and

learned counsel for the State.

The petitioners apprehend their arrest in connection with Hilsa P.S. Case No. 562 of 2014 registered for the offences punishable under Sections 341, 323, 448, 380 and 504/34 of the Indian Penal Code and Section 3(1)(x) of the SC/ST Act.

Learned counsel for the petitioners submits that some dispute arose on account of sale and purchase of toddy. As per allegation, the petitioner entered informant's house and demanded toddy. The informant demanded price of the toddy but they did not pay the same and due to that, the informant protested. Thereafter, allegedly, petitioners took away ornaments worth Rs. 15,000/-. It is further submitted that the Provision of SC/ST Act have been levelled only to make the

offence graver, as the same cannot be attracted because, admittedly, the occurrence has taken place inside the house of the informant and not in public place.

Considering the aforesaid submissions and the nature of allegation, 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 A.C.J.M. Hilsa (Nalanda) in connection Hilsa P.S. Case No. 562 of 2014, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

(Anjana Mishra, J)

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