

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36471 of 2015

Arising Out of PS.Case No. -75 Year- 2013 Thana -BELHAR District- BANKA

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1. Mahendra Gupta Son of Late Baleshwar Gupta.
 2. Ghanshyam Gupta @ Ghanshyam Prasad Gupta
 3. Vivekanad Gupta @ Viveka Gupta Son of Late Bhagwan Gupta All residents of Vishwakarma Dhawei, P.S. Belhar, District Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Ambika Bhagat(Spl.App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-09-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under sections 436,429,307,504,506 and 120B/34 of the Indian Penal Code and section 3(1)(ii)(v)(x)(xi) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act.

It is alleged that five persons came including the petitioners when co accused Sunandan Gupta poured petrol on the roof of the house of the informant when co accused Tubka Gupta lit the house of the informant on fire. The sons of the informant Dharmbir Paswan and Rupesh Paswan received burn injuries. Due

to the house being set on fire three cows also died due to burn injuries.

It is submitted by the learned counsel for the petitioners that the petitioners have been roped in the case since they are family members of the main accused Sunandan Gupta and Tubka Gupta.

It is submitted by learned Special P.P. that all the accused persons were the accomplices in the commission of occurrence.

Considering the fact that specific accusation has not been alleged against the petitioners, in view of this court, it is a case for consideration of the prayer for regular bail of the petitioners by the learned court below in case the petitioners surrender within six weeks from today in connection with Belhar P.S. Case No. 75 of 2013 pending in the court of learned CJM, Banka.

This application is disposed of with the aforesaid observation/direction.

(Dinesh Kumar Singh, J)

Anil/-

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