

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43164 of 2014

Arising Out of PS.Case No. -85 Year- 2014 Thana -BUXAR INDUSTRIAL District- BUXAR

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1. Gupteshwar Rai, Son of late Ram Das Rai
 2. Kamleshwar Kumar Rai, Son of late Bharat Rai
 3. Chottu Rai @ Dhor Rai, Son of Sri Sudarshan Rai
 4. Piyush Rai, Son of late Bharat Rai
 5. Jeetendra Rai, Son of Sri Saturdhan Rai
 6. Saturdhan Rai, Son of late Sarwan Rai
- All R/o Village-Sonbarsha, P.S.-Buxar (I), Dist.-Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shree Kant Pandey

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

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 27-03-2015 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

The petitioners seek anticipatory bail in a case registered for the offences punishable under Sections 147, 148, 149, 323 and 379/504 of the Indian Penal Code, Section 27 of the Arms Act and Section 3 (1) (X) of the Scheduled Castes/Scheduled Tribes (Prevention of Atrocities) Act.

Learned counsel appearing on behalf of the petitioners, referred to the First Information Report, has submitted that on the basis of allegation contained therein, no offence under the provisions of Scheduled Castes/Scheduled

Tribes (Prevention of Atrocities) Act is made out against the petitioners. He submits that the Rayati land of the petitioners is being sought to be settled in favour of the informant and there being dispute over such settlement and an order of stay in favour of the petitioners, a false First Information Report has been instituted.

Submission made on behalf of the petitioners appears to be correct, *prima facie*, that no offence under the provisions Scheduled Castes/Scheduled Tribes (Prevention of Atrocities) Act is made out on the basis of allegation as contained in Annexure-1, the First Information Report.

Under the facts and circumstances of the case, let the petitioners, abovenamed, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand only) each with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Buxar**, in connection with **Buxar (I) P.S. Case No. 85 of 2014**, subject to condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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