

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43680 of 2014

Arising Out of PS.Case No. -42 Year- 2013 Thana -HARIZAN District- BEGUSARAI

1. Jitendra Singh @ Jitendra Prasad Singh Son of Late Dhanar Singh @ Dawarika Prasad Singh Resident of Village - Kasthara, P.S. - Vidyapatinagar, Distt. - Samastipur
2. Rajendra Singh @ Rajendra Prasad Singh Son of Late Dhanar Singh @ Dawarika Prasad Singh Resident of Village - Kasthara, P.S. - Vidyapatinagar, Distt. - Samastipur
3. Deepak Singh @ Deepak Kumar Singh Son of Jitendra Singh @ Jitendra Prasad Singh Resident of Village - Kasthara, P.S. - Vidyapatinagar, Distt. - Samastipur
4. Banta Sah @ Bantha Sah Son of Anik Sah Resident of Village - Kasthara, P.S. - Vidyapatinagar, Distt. - Samastipur
5. Ram Sharan Sah Son of Anik Sah Resident of Village - Kasthara, P.S. - Vidyapatinagar, Distt. - Samastipur
6. Vishwanath Ray Son of Ram Chandra Ray Resident of Village - Kasthara, P.S. - Vidyapatinagar, Distt. - Samastipur
7. Sanjay Jha @ Sanjay Kumar Son of Manghu Jha @ Kameshwar Jha Resident of Village - Kasthara, P.S. - Vidyapatinagar, Distt. - Samastipur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Usha Kumari Singh

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

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 27-03-2015

Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in SC/St Begusarai P.S. Case No. 42 of 2013 registered for the offences punishable under Sections 147, 341, 323, 354, 504, 506 of the Indian Penal Code and Section 3 (x) (xi) of the SC/ST Act.

Learned counsel for the petitioner submits that the provision of Section 3 (x) (xi) of the SC/ST Act and Section 354 would not be applicable in the present case because the occurrence did not take place in public place. It is further submitted that on account of land dispute, petitioners have been falsely implicated in this case. It is further submitted that the police had earlier granted bail to the petitioners during the course of investigation on their furnishing bail bonds and there is no misuse of the said privilege of bail.

Considering the aforesaid submissions and the nature of allegations, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of two weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each

to the satisfaction of Sri Rajeev Kumar, learned Judicial Magistrate, 1st Class, Begusarai in connection with SC/ST Begusari P.S. Case No. 42 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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