

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39790 of 2015

Arising Out of PS.Case No. -165 Year- 2014 Thana -KURSELA District- KATIHAR

- =====
1. Prem Mandal S/o Ram Shivam Mandal null
 2. Binod Mandal S/o Bhairo Mandal
 3. Shulo Mandal @ Sulo Mandal S/o Chulho Mandal
 4. Dahogi Mandal S/o Ram Shivam Mandal. All R/o vill- Indragram, P.S.- Kursela Dist.- Katihar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar Singh

For the Opposite Party/s : Mr. Sadanand Paswan (Spl. Pp)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-10-2015

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case instituted under Sections 448, 341, 323, 506/34 of the Indian Penal Code and Section 3 (i) (v) (x) (xi) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the petitioners is of entering into the house of the informant, snatching one silver chain from Geeta Devi and also abusing them by taking their caste name.

It has been submitted on behalf of the petitioners that they have no criminal antecedent. They have been made accused due to mistake of fact. Petitioner is ready to deposit Rs.5,000/- in the court below which shall be subject to the final disposal of the case. As far as offence under SC and ST Act is concerned, same is not made out against the petitioners.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that petitioners shall deposit Rs.5,000/- in the court below which shall be subject to the final disposal of the case.

Let the above named petitioners, in the event of arrest or surrender in the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar, in connection with Kursela P.S. Case no. 165 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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