

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50581 of 2015

Arising Out of PS.Case No. -17 Year- 2013 Thana -SC/ST District- JEHANABAD

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1. Ramnath Singh @ Lalan Babu, Son of late Bishwanath Singh
2. Abilash Bhardwaj @ Avinash Bhardwaj @ Gunjan Kumar, Son of Late Raghunath Prasad Singh
Both presently residing at Panchayati Akhara, Gaya, Police Station Gaya Kotwali, in the district of Gaya.

3. Ramadhar Sharma, Son of Late Budhu Sharma
4. Radha Kant Sharma, Son of Late Brij Nandan Sharma
5. Gajendra Sharma, Son of Sri Ramadhar Sharma

All residents of village-Sahar Telpa, Police Station Karpi, (Sahar Telpa O.P.) in the district of Arwal.

.... Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anita Kumari Singh, Advocate
For the Opposite Party/s : None

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 05-11-2015 Heard learned counsel for the petitioners. Despite repeated calls, none appears on behalf of the State.

The petitioners seek pre-arrest bail in connection with Arwal SC/ST P.S. Case No. 17/2013 registered under Sections 341, 323, 504, 341 of the Indian Penal Code and 3(1)(x) of the Scheduled Castes & Scheduled Tribes

(Prevention of Atrocities) Act, 1989.

It is contended that the offences alleged under the Indian Penal Code are all bailable in nature. There is an admitted land dispute between the parties. On completion of investigation, the police submitted final report holding the accusation against the petitioners to be false. However, the learned Chief Judicial Magistrate differed with the police report and took cognizance of the offence.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within six weeks from today, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Sri Sunil Kumar Singh, Judicial Magistrate-1st Class, Arwal in connection with Arwal SC/ST P.S. Case No. 17 of 2013 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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