

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12195 of 2015

Arising Out of PS.Case No. -235 Year- 2014 Thana -GARKHA District- SARAN

- =====
1. Tribhuwan Rai @ Mahanth Tribhuwan Bhagat.
 2. Lal Saheb..

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Mukesh Kumar Singh, Advocate.

For the Opposite Party : Mr. Sadanand Paswan (Spl.App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 31-03-2015 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with Garkha P.S. Case No. 235 of 2014, registered under Sections 147, 148, 323, 342, 379, 504, 506 of the I.P.C. and 3(1)(x) of the SC/ST (Prevention of Atrocities) Act.

It is apparent from the contents of the F.I.R. that the alleged occurrence took place on account of land dispute. The documents available on the record show that the land dispute is going on between the petitioners and Mahant of Kabir Math since long.

The contention on behalf of the petitioners is that the present case does not come under the purview of SC/ST

(Prevention of Atrocities) Act and so far as other offences are concerned, except Section 379 of the I.P.C., almost all Sections are bailable in nature and Section 379 of the I.P.C. has been added in this case which intend to make the offence graver.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that in the event of arrest or surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Ist Additional Sessions Judge-cum-Special Judge, SC/ST(POA)Act, Saran at Chapra, in connection with Garkha P.S. Case NO. 235 of 2014, subject to condition as laid down under Section 438(2) of the Cr. P.C.

U.K./-

(Hemant Kumar Srivastava, J)

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