

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18356 of 2015

Arising Out of PS.Case No. -5 Year- 2015 Thana -ST/SC (HARIJAN) District- BHABHUA
(KAIMUR)

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1. Lallu Tiwary
2. Maharaj Tiwary
3. Dadan Tiwary
All sons of Achhaibar Tiwary
4. Manju Tiwary @ Sadanand Tiwary
5. Ramanand Tiwary
6. Tunnu Tiwary @ Danand Tiwary
All sons of Lallu Tiwary. All resident of village- Dharwar, P.S.-
sonhan, District- Kaimur at Bhabua.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey
For the Opposite Party/s : Mr. Sadanand Paswan(Spl.Pp)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 02-07-2015 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case
instituted under Sections 342, 323, 504, 506, 34 of the Indian
Penal Code and Section 3(1) (S) (C) of SC/ST (POA) Act.

The allegation against the petitioners is that the
petitioners abused and insulted the informant naming his caste that
why he has raised the amount of settlement of land by taking the
settlement of land on higher price from Vinod Singh.

It has been submitted on behalf of the petitioners that the
petitioners have falsely been implicated in this case. Further it is

submitted that no offence under SC/ST Act is made out against the petitioners as the occurrence has not taken place in public view. Further it is alleged that the occurrence has taken place on 09.01.2015 but the case was instituted on 13.01.2015 after four days. It is also submitted that no explanation on behalf of the prosecution has been given for the delay of four days.

On behalf of the State it has been submitted that the petitioners are named in the FIR.

Considering the aforesaid facts, let the above named petitioners, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Kaimur at Bhabua in connection with SC/ST (Bhabua) P.S.Case No. 05 of 2015 , subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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