

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15677 of 2015

Arising Out of PS.Case No. -138 Year- 2014 Thana -SC/ST P.S. District- MUZAFFARPUR

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1. Bijay Kumar Sharma Son of Late Bishambhar Kumar Sharma
 2. Viresh Kumar Sharma Son of Sri Bijay kumar Sharma Petitioner Nos. 1 and 2 are Permanent residents of Village: Mahanth Maniyari, P.s: Maniyari, District : Muzaffarpur
 3. Ramakant@ Bhola Mishra Son of Nageshwar Mishra
 4. Kishori Rai Son of Shiwbalak Rai Petitioner nos 3 and 4 are residents of Village: Mahanth Maniyari P.s : Maniyari District: Muzaffapur
 5. Mithilesh Mishra Son of Ramadhar Mishra Petitioner no. 5 is resident of Village: Bidya Jhanp, P.s Sakra, District: Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Siddhartha Prasad, Advocate

For the Opposite Party/s : Mr. Ambika Bhagat (Spl.App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-05-2015

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506, 153(1) (B)/34 of the Indian Penal Code and 3(1) (x) of the S.C./S.T.(Prevention of Atrocities) Act.

It is alleged that the informant claims to be a dalit priest of Temple of Shri Radha Krishna. The petitioners forcibly took possession of the temple, not allowed the informant to perform puja,

and abused him by calling caste name.

It is submitted by the learned counsel for the petitioners that petitioner no. 1 is retired Professor of N.I.T., Patna and petitioner no. 2 holds high executive post in a Corporate Sector. It is submitted that at the earlier point of time informant's side with similar accusation lodged a case against the petitioners.

Considering the accusation in the background of dispute with regard to claim and right title of the Matth and it appears that date and time of occurrence has not been mentioned, let the above named petitioners be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Muzaffarpur SC/ST P.S. Case No. 138 of 2014, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

(Dinesh Kumar Singh, J)

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