

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30821 of 2015

Arising Out of PS.Case No. -1 Year- 2015 Thana -KASHICHAK District- NAWADA

- =====
1. Gore Mahton S/o Sunil Mahto @ Sunil Prasad
2. Sito Mahton @ Situ Mahto S/o Late Sato Mahton Both are resident of
village - Madhepura, P.S. Kashichak, District - Nawada

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

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

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 12-08-2015 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with a
case registered for the offences punishable under Sections 147,
148, 149, 323, 341, 504, 307 of the Indian Penal Code and Section
3(2)(x) of the Scheduled Castes and Scheduled Tribes (Prevention
of Atrocities) Act, 1989.

Learned counsel for the petitioners submits that evidently
on the perusal of the First Information Report, it appears that the
petitioners were members of the crowd which had assembled at
the pond where fishing was being conducted by the informant. He
further submits that so far as the provisions of Scheduled Castes
and Scheduled Tribes (Prevention of Atrocities) Act, 1989 are

concerned, the same may not be attracted as there is no independent witness.

However, there is allegation that these petitioners have used the caste name against the informant and no other specific role has been attributed to them.

Considering the aforementioned submissions and also the order dated 28.07.2015 passed in Cr. Misc. No. 30034 of 2015 whereby similarly situated accused person namely, Ashok Mahto, has been extended the privilege of anticipatory bail, let the petitioners above named, in the event of their arrest / surrender within a period of three weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the each amount to the satisfaction of the learned Chief Judicial Magistrate, Nawada in connection with Kashichak P.S. Case No. 01/2015 subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J.)

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