

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.34677 of 2014**

Arising Out of PS.Case No. -6 Year- 2014 Thana – MADHUBANI SC/ST District- MADHUBANI

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1. Tulsi Prasad Gupta, Son of Sri Dukhan Prasad Gupta  
2. Ram Kumar Gupta, Son of Sri Dukhan Prasad Gupta  
3. Balram Gupta, Son of Sri Dukhan Prasad Gupta  
4. Ramchandra Gupta, Son of Sri Shankar Prasad Gupta  
5. Sanjay Prasad Gupta, Son of Sri Shankar Prasad Gupta  
6. Shankar Prasad Gupta, Son of Late Raghunath Gupta, All are resident of village- Dharmban, P.S.- Ladaniyan, District- Madhubani

.... .... Petitioners

Versus

1. The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioners : Mr. Hriday Kant Mishra

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

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**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR**  
**MANDAL**  
**ORAL ORDER**

4      16-07-2015                      Heard the learned counsel for the petitioner and the State.

Petitioners apprehend their arrest in connection with Madhubani S.C./S.T. P.S. case no. 6 of 2014, registered under Sections 341,323,354,379 and 504/34 of the IPC and Section 3(i)(xi) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act ( for short ‘the Act’).

It has been argued that the informant himself was aggressor and encroacher. Just to support the encroachment which was objected by the petitioners, the present case has been lodged with concocted allegation.

Mr. Bhagat, learned A.P.P., on the other hand, points that there is allegation which constitute offence under the Act which prevents the grants of anticipatory bail. But for the provisions contained under the Act, this Court was inclined to grant the petitioners privilege of anticipatory bail as the allegations are trivial in nature. Prayer for bail is rejected.

Petitioners may surrender and pray for regular bail before the learned Court below. In that event the Court below shall consider and dispose of the same on its own merit in accordance with law.

**(Kishore Kumar Mandal, J)**

Shyam/-

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