

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25893 of 2015

Arising Out of PS.Case No. -18 Year- 2015 Thana -GHOGHARDIHA District- MADHUBANI

- =====
1. Masumat Phul Kumari Devi @ Mosumat Phul Kumari Devi @ Phul Kumair Devi wife of Late Surat Lal Kamat,
2. Raja Kant Kamat son of Late Surat Lal Kamat, Both resident of Sarauti Tole Naw Tolia, P.S. Ghoghardiha, District Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav
For the Opposite Party/s Mr. Ram Shankar Das(Spl.App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

02/ 27.07.2015 Heard learned counsel for the petitioners as well as learned Addl. Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with Ghoghardiha P. S. case no. 18/2015 registered under section 3 (I) (X) of the SC/ST (Prevention of Atrocities)Act as well as sections 504, 506/34 of the Indian Penal Code.

Informant happens to be government official and allegedly, petitioners uttered caste name of the informant when informant directed them to fulfill certain formalities for correction of their Id cards.

No doubt, petition under section 438 of the Cr.P.C is not maintainable in respect of offence registered under the provision of SC/ST Act but in the present case, application of provision of SC/ST appears to be doubtful.

Accordingly, it is ordered that in the event of arrest/
surrender within four weeks from the date of receipt of this
order to the concerned court, let the above named petitioners be
released on bail on furnishing bail bonds of Rs 10,000/- each
with two sureties of the like amount each to the satisfaction of
the Sub divisional Judicial Magistrate, Jhanjharpur, Madhubani
in Ghoghardiha P. S. case no. 18/2015 subject to condition as
laid down under section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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