

IN THE HIGH COURT OF JUDICATURE AT PATNA  
Criminal Miscellaneous No.8756 of 2015

Arising Out of PS.Case No. -71 Year- 2015 Thana -BIHTA District- PATNA

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1. Md. Usman @ Usman Miyan son of Late Barsati Miyan

2. Samir Miyan @ Md. Samir son of Late Barsati Miyan

3. Darbar Miyan @ Md. Istakhar son of Late Isha

4. Alamgir Miyan @ Md. Alamgir son of Late Md. Usuf

All resident of village- Katesar, P.S. Bihta, District- Patna

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bindeshwar Prasad Singh  
For the Opposite Party/s Mr. Ambika Bhagat(Spl.App)

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA**  
**ORAL ORDER**

02/ 04.03.2015

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

Except section 379 of the IPC and section 3 (X) of the SC/ST (Prevention of Atrocities) Act, all sections are bailable in nature.

The allegation of theft appears to be super-addition and so far as application of section 3 (X) of the SC/ST (Prevention of Atrocities) Act is concerned, admittedly, there is land dispute between the parties and the alleged occurrence took place on the above stated land dispute.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and 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 Addl. Chief Judicial Magistrate, Danapur, Patna in Bihta P. S. case no. 71/2015 subject to condition as laid down under section 438(2) of the Cr.P.C.



(Hemant Kumar Srivastava,J)

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