

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19963 of 2015

Arising Out of PS.Case No. -16 Year- 2015 Thana -SAHAJITPUR District- SARAN

- =====
1. Vijay Prasad S/o Late Ramanand Prasad
 2. Vishwajeet Prasad S/o Late Ramanand Prasad Both Resident of Village Manopali, P.S. Sahajitpur, District Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh

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

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 25-06-2015 Heard learned counsel for the petitioners and
learned counsel for the State.

The petitioners apprehend their arrest in connection with Sahajitpur P.S. Case No. 16 of 2015 registered for the offences punishable under Sections 341, 323, 379, 429, 504, 506/34 of the Indian Penal Code and Section 3 (1)(x) of the SC/ST Act.

Learned counsel for the petitioners submits that the present dispute is out and out false in view of the fact that it has arisen merely because the petitioners have protested against the loss, caused to them in the potato field and consequently, in order to escape and create prosecution for the said act, they have lodged the present case out of personal vendetta. It is further submitted that the occurrence did not take place in a public place and there are no independent

witness to support the allegation.

Considering the aforesaid submissions and also the fact that the ingredients of offence under the provisions of SC/ST (Prevention) of Atrocities Act are not made out as per the first information report, let the petitioners above named, in the event of their arrest or surrender before the Court below within a period of three weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the 1st Additional Sessions Judge-cum-Special Judge SC/ST (POA) Act Saran at Chapra in connection with Sahajitpur P.S. Case No. 16 of 2015, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

(Anjana Mishra, J)

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