

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38861 of 2015

Arising Out of PS.Case No. -32 Year- 2015 Thana -BHEJA District- MADHUBANI

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1. Md. Soheb son of Md. Rajjak,
 2. Md. Moti @ Moti Asraf, son of Md. Safik
 3. Md. Juhair son of Md. Dhodhai
 4. Md. Lateef, son of Md. Jumrati All residents of Village- Mahpatiya, P.S. Bheja, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Baleshwar Kamat

For the Opposite Party/s : Mr. Gajendra Prasad Yadav (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 30-09-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341,323,324,379,120B and 504 of the Indian Penal Code and section 3(1)(v) (x) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act.

The prosecution case is that the informant being landless persons was abused by calling caste name. It is further alleged that the accused persons wanted to demolish the hutment of the informant. On protest being made by the informant, the accused persons made assault to the informant.

It is submitted by the learned counsel for the petitioners that in the background of land dispute the accusation has been levelled. The accusation is omnibus and general. There is counter version of the occurrence though the same was lodged subsequent to the case of the informant and the certificate of Sarpanch suggesting that in the background of land dispute the accusation has been levelled. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM, Jhanjharpur in connection with Bheja P.S. Case No.32 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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