

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49132 of 2015

Arising Out of PS.Case No. -5 Year- 2015 Thana -SC/ST PS District- DARBHANGA

- =====
1. Budhi Sagar Mishra, son of Late Brij Kishore Mishra.
 2. Sheet Mishra, Son of Budhi Sagar Mishra.
 3. Gokhalanand Mishra @ Gokulanand Mishra, son of Late Kumar Mishra
 4. Dilip Mishra, son of Bhairab Mishra
 5. Shivanand Mishra @ Shivanand Mishra, son of Late Kumar Mishra All residents of Village- Mahinam (Pachhawari Tola), P.S.- Bahera, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Suraj Narain Yadav

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

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 04-11-2015 Heard Mr. Yadav for the petitioners and Mr. Bhagat,
Special PP for the State.

The petitioners are family members of Rahul Mishra with whom there was exchange of hot words with the nephew of the informant. They are facing accusations punishable under diverse penal provisions as well as Section 3(i)(x) of the SC/ST Act vide SC/ST P.S. Case No 5 of 2015.

Mr. Yadav placed the F.I.R. from which it appears that the allegations are trivial in nature. It has been pointed out that the allegation under Section 354 IPC has not been found substantiated in course of investigation.

Considering the fact that the petitioners are also accused of

the penal provisions of the SC/ST Act and there is statutory bar against grant of anticipatory bail, I am not persuaded to extend the privilege of anticipatory bail to the petitioners.

Let the petitioners surrender and pray for regular bail. If they do so, I am sure, the Court below shall consider the case of the petitioners on merit unprejudiced by the present order.

The bail application is disposed of.

(Kishore Kumar Mandal, J)

Pankaj/-

U		T	
---	--	---	--