

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37962 of 2015

Arising Out of PS.Case No. -25 Year- 2015 Thana -HARIJAN PS. District- NALANDA
(BIHARSHARIFF)

- =====
1. Mukesh Goshwami
 2. Suraj Goshwami
 3. Nanda Goshwami All sons of Sri Mahendra Goshwami
 4. Mahendra Goshwami Son of Late Badri Goshwami All resident of village - Khudaganj, Police Station - Khudaganj, District - Nalanda

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ravi Kant Kumar

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

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 17-09-2015 Heard learned counsel for the petitioners and learned Assistant Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of SC/ST P.S.Case No.25 of 2015, disclosing offences under Sections 341, 323, 504, 506 and 379/34 of the Indian Penal Code and Section 3(i)(x) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act.

It is submitted on behalf of the petitioners that no offence under Section 3(i)(x) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act is made out on the basis of the allegation as contained in the first information report as there is no allegation that the occurrence took place in public view. He has further submitted that because of some petty dispute

between the petitioners and the informant, purely civil in nature, a false case has been instituted by the informant involving the members of the same family who have no criminal antecedent. He has further submitted that there is no chance of the petitioners fleeing away from the course of justice or tampering with the evidence.

Considering the submission as above, this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate at Hilsa, Nalanda in connection with SC/ST P.S.Case No.25 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

B.Kr./-

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