

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7856 of 2016

Arising Out of PS.Case No. -33 Year- 2015 Thana -SC/ST District- SHEOHAR

- =====
1. Birju Mahto, Son of Kamlesh Mahto
 2. Kamlesh Mahto Son of Birju Mahto
 3. Ramprit Mahto, Son of Ram Autar Mahto
 4. Amar Mahto, Son of Ramprit Mahto
 5. Naresh Mahto, Son of Rang Lal Mahto
 6. Rang Lal Mahto, Son of Shivdhari Mahto
 7. Chandeshwar Mahto Son of Ramautar Mahto All resident of Village-
Bishunpyr Kishundeo, P.S. Sheohar, District- Sheohar.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Devendra Kumar

For the Opposite Party/s : Mr. Ajay Kumar-I(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 04-04-2016

Heard learned counsel, appearing on behalf of the petitioners, and the learned Addl. Public Prosecutor, appearing on behalf of the State.

This application for grant of anticipatory bail arises out of Sheohar SC/ST P.S.Case No. 33/2015, disclosing offences under sections 147, 148, 149, 448, 323, 324, 354 and 379 of the Indian Penal Code and Section 3(i)(x)(xi) of the SC/ST Act.

It appears from the First Information Report that the occurrence took place over petty dispute between the parties relating to a banana tree.

Learned counsel for the petitioners submits that no

offence under section 3(i)(x) of the SC/ST (Prevention of Atrocities) Act is made out on the basis of allegation made in the F.I.R. as, allegedly, the occurrence is said to have taken place in the house of the informant and not within the public view.

Considering the above, this application is allowed.

Let the petitioners, abovenamed, in the event of their arrest/ surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the A.C.J.M., Sheohar in Sheohar SC/ST P.S.Case No. 33/2015, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

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)

Surendra/-

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