

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11978 of 2016

Arising Out of PS.Case No. -17 Year- 2015 Thana -BHAGHA District-
WESTCHAMPARAN(BETTIAH)

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1 Sk. Badroja @ Md. Badruddoja @ M. Badruddoja, Son of Late Dafdar Hussain,
2. Shani Mian, Son of Late Bagar Mian, Both are resident of Village-Bastha, P.S.- Mainatard, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhileshwar Kumar Shrivastva

For the Opposite Party/s : Mr. Amrendra Pd.(APP)

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 28-03-2016 Heard learned counsel for the petitioners and

learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 341, 323, 447, 504 and 34 of the of the Indian Penal Code and under Section 3(i) (x) of the SC/S.T. Act registered in connection with Bhangaha P.S. Case No. 17 of 2015.

3. It is submitted that the petitioners being of advanced age have been falsely implicated by reason of land dispute between the parties. The land in question vide Khata No. 38 is claimed to have been purchased by the father of the petitioner no. 1, Dafdar Hussain, but the informant has been

attempting to grab the land and is now resorting to misuse the provisions of SC/ST Act as a weapon to achieve that end. It is submitted that the provisions of SC/ST Act are not attracted as the alleged occurrence has also not occurred in public view.

4. Having regard to the entirety of the facts and circumstances, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of Sri S.D. Bharti, learned J.M. Ist Class, Bettiah, West Champaran, in connection with Bhangaha P.S. Case No. 17 of 2015, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Vikash Jain, J)

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