

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14544 of 2016

Arising Out of PS.Case No. -5 Year- 2016 Thana -KASHICHAK District- NAWADA

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1. Gorelal Kumar, S/o Naresh Ravidash, Resident of Village- Jamuawan,
P.S.- Kashichak, (Sahpur O.P.) District- Nawada.
2. Arman Miyan, S/o Samsul Miyan, Resident of Village- Jamuawan, P.S.-
Kashichak, (Sahpur O.P.) District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Prasad Singh

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

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 21-04-2016 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Kashichak Police Station Case No. 05 of 2016,
disclosing offences under Sections 341, 323, 307, 379,
504/34 of the Indian Penal Code and Section 3 (i) (x) of the
Schedule Castes and Schedule Tribes (Prevention of
Atrocities) Act.

Learned Counsel for the petitioners submits that
no offence under Section 3 (i) (x) of the Schedule Castes
and Schedule Tribes (Prevention of Atrocities) Act is made
out as their being no allegation that the occurrence took
place within public view. She further submits that the
occurrence appears to have taken place over a petty

dispute. The allegations, contained in the First Information Report, do not constitute any offence under Section 307 of the Indian Penal Code and the said section is superimposition.

Considering the submission, as above, this application is allowed.

Let the petitioners, namely, Gorelal Kumar and Arman Miyan, 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/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Shri Rajesh Kumar, Judicial Magistrate, 1st Class, Nawada, in connection with Kashichak Police Station Case No. 05 of 2016, 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.)

Prabhakar Anand/-

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