

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18345 of 2016

Arising Out of PS.Case No. -18 Year- 2016 Thana -MARKAHI District- KHAGARIA

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1. Pulkit Kewat
2. Kishore Kewat, Both Sons of Late Sundar Kewat, Resident of Village - Sahorwa, P.S. - Morkahi, District - Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh

For the Opposite Party/s : Mr. Uma Nath Mishra(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 01-07-2016 Learned counsel for the petitioners seeks leave to
file certified copy of the F.I.R.

Leave is granted.

Let the certified copy of the F.I.R. be kept on the
record.

Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in
Morkahi P.S. Case No.18 of 2016 corresponding to G.R.No.353 of
2016 for the offences under Sections 341, 323, 379, 354, 504, 506
of the I.P.C. and Section 3(x)(xi) of the Scheduled Castes and the
Scheduled Tribes (Prevention of Atrocities) Act.

Learned counsel for the petitioners submits that the
entire allegation as alleged against the petitioners is false and

frivolous. He further submits that admittedly there is land dispute between the parties and the place of occurrence is the field of the informant and, as the occurrence took place in the private field of the informant, the provisions of the S.C. & S.T. Act are not attracted in the instant case. It is also clear that there is no independent witness and use of caste name if at all made, was not in the presence of public. Learned counsel further submits that the present petitioners have been roped in the present case merely on account of village politics.

Considering the nature of allegation made and there is no independent witness in the present case who could have supported the present allegation, let the petitioners, above named, in the event of their arrest or surrender before the court below within four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of the S.D.J.M., Khagaria, in Morkahi P.S. Case No.18/16 corresponding to G.R.No.353/16 subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Anjana Mishra, J)

AnilKrSinha/-

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