

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19159 of 2016

Arising Out of PS.Case No. -1 Year- 2016 Thana -SC/ST District- PURNIA

- =====
1. DHODHAI MAHALDAR @ DHORI MAHALDAR Son of Late Batai Mahaldar
 2. Sanjeet Mahaldar @ Sanjeev Mahaldar Son of Dhodhai Mahaldar
 3. Bhama Devi @ Jhamia Devi wife of Dhodhai Mahaldar All residents of village Rampur Khako Tola, P.S. Muffasil, District - Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajit Ranjan Kumar
For the Opposite Party/s : Mr. Ram Shankar Das (Spl.Pp)

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 13-05-2016 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor appearing on behalf of the State.

This application for anticipatory bail arises out of SC/ST P.S. case No. 01 of 2016, disclosing offences under Sections 447,341,342,323,354,379,504,506/34 of the Indian Penal Code and Section 3(1) V) (X) (XI) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities Act).

From the allegations made in the First Information Report, it appears that land dispute between the parties is the real reason behind the occurrence as alleged in the First Information Report. However, since allegations made in the First Information

Report constitute an offence under Section 3 (i) (iii) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, considering Section 18 of the said Act, this anticipatory bail application cannot be maintained.

This application is, accordingly, rejected.

However, it is directed that in the facts and circumstances of the case, if the petitioners appear before the Court below within four weeks from today, and seek regular bail, their applications for regular bail shall be considered and decided on the same day.

(Chakradhari Sharan Singh, J)

ArunKumar/-

U			
---	--	--	--