

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32229 of 2016

Arising Out of PS.Case No. -26 Year- 2014 Thana -SC/ST PS District- BUXAR

- =====
1. Mohan Keshri
 2. Mantu Keshri, Both sons of Lalan Keshri, Both resident of Mohalla Vijay Laxmi Vastralya and Maha Laxmi Vastralaya, PP Road Buxar, P. S. Buxar Nagar, District Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Sadanand Paswan, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 26-08-2016

Heard learned counsel for the parties.

This application for grant of anticipatory bail arises out of Buxar SC/ST P.S. Case No. 26 of 2014, disclosing offences under Sections 341,323,427,379,504, 506 of the Indian Penal Code and Section 3 (i) (x) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

It is submitted on behalf of the petitioners that upon completion of investigation, the police submitted final report, finding the dispute between the parties to be of civil nature. He has submitted that despite the fact that the police could not collect any evidence against the petitioners in course of investigation and, accordingly, submitted final report, learned Chief Judicial Magistrate has taken cognizance, differing with the police report

under various Sections of the Indian Penal Code and Section 3(i) (x) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act.

Considering the fact that cognizance has been taken under the provisions of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, this application for anticipatory bail cannot be maintained.

It is, however, observed that if the petitioners appear before the Court below within four weeks from today and seek regular bail, their application for regular bail shall be considered and disposed of on the same day.

This application is, accordingly, disposed of.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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