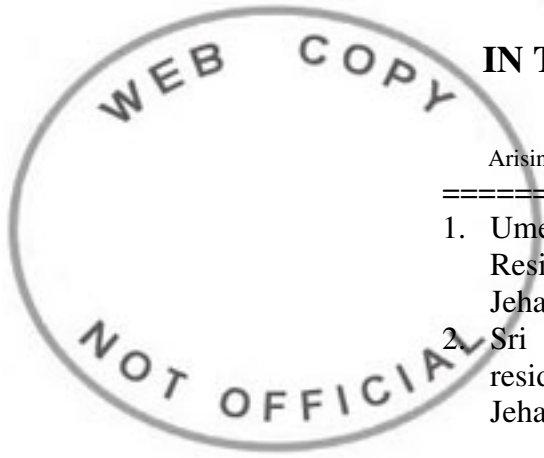




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4137 of 2016

Arising Out of PS.Case No. -349 Year- 2015 Thana -JAHANABAD District- JEHANABAD

- =====
1. Umeshwar Sharma
Resident of village- Khaira, Police Station-Parasbigha, District –
Jehanabad.
 2. Sri Ram Kumar @ Ram Kumar Son of Late Ram Ratan Sharma,
resident of Village-Pinjaur, Police Station – Parasbigha, District-
Jehanabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Sharma

For the Opposite Party/s : Mr. Ram Shankar Das(Spl.App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 03-03-2016 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Jehanabad P.S. Case No. 349 of 2015 registered for offences punishable under Sections 323, 341, 420, 467, 468, 469, 471, 384, 385, 307, 120B, 504 and 506 of the Indian Penal Code along with section 27 of the Arms Act and section 3(1)(IV)(V)and (X) of the Schedule Caste and Scheduled Tribe (SC/ST) Act.

Learned counsel for the petitioners submits that the allegation against the petitioners are purely frivolous and they are



bonafide purchasers of the land from one Nathun Choudhary who received the same as his share from his ancestors. It is further submitted that only to make the charges grievous, the present case has been filed under the provisions of the Schedules Castes and Scheduled Tribes (prevention of Atrocities) Act, 1989. Admittedly the occurrence took place on the private land of the petitioners and not at a public place. There are also no independent witnesses to support the occurrence.

Considering the nature of allegation made against the present petitioners and there is no specific allegations against the present petitioners and also one similarly situated person has been extended the privilege of anticipatory bail by this Court in Criminal Miscellaneous No. 4104 of 2016 vide order dated 05.02.2016 and also that the petitioners have no criminal antecedent, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000 (Rs. Ten Thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrare, Jehanabad in connection

with Jehanabad P.S. Case No. 349 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjana Mishra, J)

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