

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.32264 of 2016

Arising Out of PS.Case No. -65 Year- 2016 Thana -MANER District- PATNA

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1. DHARMENDRA KUMAR @ DHARMENDRA RAI & ORS Son of Sudarshan rai
 2. Baban Rai Baban Singh Son of late Vishwanath Rai
 3. Dipak Rai Son of Sri Vijay Rai
 4. Jitendra Rai Son of Sudarshan Rai
 5. Sudarshan Rai Son of late Nagina Rai
 6. Sannu Kumar @ Sonu Kumar Son of Darebhar Rai
 7. Darebhar Rai @ Darebar Rai Son of Sri Virendra Rai
 8. Vicki Kumar @ Bicky Kumar Son of Sri Virendra Rai
 9. Sanjay Kumar Son of Akchhuta Rai
 10. Akchhuta @ Achhuta Rai @ Achhate Rai Son of Bhagrashan Rai All resident of village- Poachhimi Suarmarwa, P.S. Mager, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad
For the Opposite Party/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 26-08-2016 Heard learned Senior Counsel for the petitioners
and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Maner Police Station Case No. 65 of 2016, disclosing offences under Sections 448/147/148/149/323/324/307/504 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 petitioner has



submitted that no offence under Section 3 (i) (x) of the Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act is made out on the basis of what has been alleged in the First Information Report inasmuch as there is no mention of "Caste Name" in the First Information Report. It has further been submitted that the allegation is general and omnibus against all the accused persons, which are not reliable.

Considering the above submission, this application is allowed.

Let the petitioners, namely, Dharmendra Kumar @ Dharmendra Rai, Baban Rai @ Baban Singh, Dipak Rai, Jitendra Rai, Sudarshan Rai, Sanu Kumar @ Sonu Kumar, Darebhar Rai @ Darebar Rai, Vicki Kumar @ Bicky Kumar, Sanjay Kumar and Akchhuta Rai @ Achhuta Rai @ Achhata Rai, 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 the learned Additional Chief Judicial Magistrate, Danapur, Patna, in connection with Maner Police Station Case No. 65 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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