

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32577 of 2016

Arising Out of PS.Case No. -20 Year- 2016 Thana -SC/ST District- JAMUI

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1. Sunil Sah
 2. Anil Sah Both sons of Bisheshwar Sah
 3. Deepak Sah, son of Mithu Sah
- All are residents of village - Sohjana, P.S.-Jhajha, Distt - Jamui

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Prasad, Advocate

For the Opposite Party/s : Mr. Ram Shankar Das, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 18-08-2016 Heard learned counsel for the petitioners and the

learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with S.C./S.T. Jamui P.S. Case No.20 of 2016 registered for the offence under Sections 341, 323, 504, 506/34 of the Indian Penal Code and Section 3(i)(x) of the S.C./S.T. Act.

Learned counsel for the petitioners submits that the entire case is false and fabricated and the provision of S.C./S.T. Act has been brought in to make the charge graver. It is further submitted that such provision would not be attracted in view of the fact that though the occurrence is alleged to

have taken place in the brick-kiln, there is no independent witness to support the case. It is further submitted that there is a family dispute between the petitioners and the master of the informant, who is but a labourer working in the brick-kiln of their adversary and is jointly run by them.

Having perused the materials on record and also in view of the fact that there is no independent witness to support the case under S.C./S.T. Act, let all 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 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, 1st, Jamui, in connection with S.C./S.T. Jamui P.S. Case No.20 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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