

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58426 of 2015

Arising Out of PS.Case No. -33 Year- 2015 Thana -ST/SC (HARIJAN) District- BHABHUA
(KAIMUR)

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1. Nagina Bind Son of Bhola Bind
2. Munna Bind Son of Nagina Bind Both are resident of Village Gauwa,
P.S. Sonhan, District Kaimur at Bhabhua

.... Petitioner/s

Versus

1. The State of Bihar

... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

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

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

4 06-05-2016 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with a
case registered for the offences punishable under Sections 341/
323/325/504/34 of the Indian Penal Code and Section 3(i)(xi) of
the Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989.

Learned counsel for the petitioners submits that the
allegations against the petitioners are wholly false and fabricated
and the water-pump is located at the doorsteps of the petitioners
and not as stated in the First Information Report. It is further
submitted that the allegation of *Marpit* is also false and whatever
be the allegations under which the petitioners are alleged to have
committed offence, are bailable. So far as the charge under Sections

3(i)(xi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 is concerned, it has been added only to make the charge graver. Furthermore, the said allegation could not be tenable as the petitioners themselves belong to the backward caste.

Considering the aforementioned submissions and the facts and circumstances of the case and also that the petitioners are having no criminal antecedent, let the petitioners above named, in the event of their arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged 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 Chief Judicial Magistrate, Kaimur at Bhabhua in connection with S.C./S.T. P.S. Case No. 33 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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