

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47313 of 2015

Arising Out of PS.Case No. -185 Year- 2015 Thana -PIPRA District-
EASTCHAMPARAN(MOTIHARI)

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1. Madan Mukhiya S/o Late Sitaram Mukhiya
2. Pratima Devi W/o Madan Mukhiya
3. Pawan Kumar S/o Madan Mukhiya
4. Lalan Kumar S/o Madan Mukhiya All are R/o village - Tikuliya, P.S.
Pipra, District - East Champaran, Motihari

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Mr. Ambika Bhagat(Spl.App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 25-01-2016 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
341/323/448/326/307/379/504/506/34 of the Indian Penal Code
and Section 3(i)(x) of the Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act, 1989.

Learned counsel for the petitioners submits that the dispute
arose on account of grazing of she-goat in the field belonging to
the informant. It is further submitted that the alleged occurrence
which followed subsequently took place inside the house of the
informant and not at any public place. He further submits that

there are no independent witnesses to support the allegations with regard to the throwing of acid on the eyes of the two female members of the informant and the injury report merely indicates that there is swelling with redness in the eye. He further states that the provisions of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 have been brought in only to make the offence and charge more grievous against the petitioner.

Considering the nature of allegation made in the First Information Report and admittedly the occurrence took place inside the house of the informant and not at public place and also these petitioners are having no criminal antecedents, let the petitioners abovenamed, 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 each amount to the satisfaction of the learned Chief Judicial Magistrate, Motihari in connection with Pipra P.S. Case No. 185/2015 subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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