

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5822 of 2016

Arising Out of PS.Case No. -70 Year- 2015 Thana -SC/ST P.S. District- SARAN

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1. Laxuman Rai son of Bachu Rai
 2. Sadan Rai son of Late Moti Lal Rai
 3. Sikandra Rai @ Sikanar Kr. Rai son of Sadan Rai
 4. Nageshwar Rai son of Late Rajendra Rai All R/o Mohalla - Brahmpur Pool, P.S. - Bhagwan Bazar, District - Chapra (Saran).

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Tiwary

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

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

4 04-04-2016 Heard learned counsel, appearing on behalf of the petitioners, and the learned Addl. Public Prosecutor, appearing on behalf of the State.

This application for grant of anticipatory bail arises out of Sadar SC/ST P.S.Case No. 70/2015, disclosing offences under sections 341, 323, 504, 506, 379/34 of the Indian Penal Code and section 3(i)(x) of the SC/ST Act.

Learned counsel for the petitioners submits that no offence under section 3(i)(x) of the SC/ST (Prevention of Atrocities) Act is made out on the basis of allegation contained in the First Information Report as there is no allegation that the occurrence took place within the public view. He contends that a

false case has been instituted because of petty dispute between the petitioners and the informant.

Considering the nature of accusation and the dispute, this application is allowed.

Let the petitioners, abovenamed, in the event of their arrest/ surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saran at Chapra in Sadar SC/ST P.S.Case No. 70/2015, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

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)

Surendra/-

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