

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7117 of 2016

Arising Out of PS.Case No. -271 Year- 2015 Thana -FALKA District- KATIHAR

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1. Arbind Bhagat Son of Bindu Bhagat @ Bindeshwari Bhagat,
 2. Santosh Kumar Bhagat @ Santosh Bhagat, Son of Late Jagdish Bhagat,
 3. Sarojani Bhagat @ Sarojani Dei, W/o Amirchandra Prasad Bhagat @ Amirchandra Bhagat @ Mirchan Bhagat,
 4. Pankaj Bhagat, Son of Satya Narayan Bhagat,

All resident of village- Sabda, Police Station- Falka, District- Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Sah, Advocate

For the Opposite Party/s : Mr. H.A.Khan(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-02-2016 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 354B, 504, 506/34 of the Indian Penal Code and 3(1) (x) of the S.C./S.T.(Prevention of Atrocities) Act.

The prosecution case is that the informant being landless lady who was given settlement purcha of 3 decimals of land. On 19.11.2015 at 6.30 accused persons came and started dismantling the hut of the informant

from the land and abused by calling caste name. It is specifically alleged against petitioner no. 2 Santosh Kumar Bhagat @ Santosh Bhagat that he outraged the modesty of the informant.

It is submitted by the learned counsel for the petitioners that in the background of land dispute accusation has been levelled. At earlier point of time petitioner's side lodged complaint to the authority for encroachment being made by the informant. At earlier point of time the S.D.M. Katihar directed the Circle Officer to take necessary action.

Considering the specific accusation against petitioner no. 2., let the learned court below consider the prayer for regular bail of the petitioner no. 2 namely Santosh Kumar Bhagat @ Santosh Bhagat, if he surrenders before the learned court below within a period of six weeks from today in connection with Falka P.S. Case No. 271 of 2015, pending in the court of learned A.C.J.M.-V, Katihar.

So far as petitioner nos. 1, 3 and 4 are concerned, no specific accusation has been levelled against them, let the above named petitioner nos. 1, 3 and 4 be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-V, Katihar in connection with Falka P.S. Case No. 271

of 2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



(Dinesh Kumar Singh, J)