

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10079 of 2016

Arising Out of PS.Case No. -60 Year- 2013 Thana -SC/ST District- SAHARSA

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1. Manti Devi Wife of Yogendra Mahto
 2. Gurunanak Kumar son of Yogendra Mahto
 3. Sita Devi wife of Chandeshwari Mahto
 4. Chandeshwari Mahto son of Late Basant Mahto
 5. Bhupen Mahto son of Parmeshwar Mahto
 6. Samwati Devi wife of Parmeshwar Mahto, All resident of village- Maura, P.S.- Sonbersa Raj O.P.- Kashnagar, District- Saharsa

.... Petitioner/s

Versus

1. The State of Bihar.
2. Maheshwar Ram son of Late Ramawatar Ram, resident of village- Maura, P.S.- Sonbersa Raj O.P.- Kashnagar, District- Saharsa

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhav Jha
For the Opposite Party/s : Mr. Gajendra Pd.Yadav(App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 10-03-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, petitioners are seeking anticipatory bail in connection with SC/ST P.S. Case No. 60 of 2013 registered for offences under sections 147, 149, 342, 323, 379, 504, 506 of the Indian Penal Code and section 3 (i) (iii) (iv) (x) of the SC/ST (POA) Act.

As per the allegation, the Government had granted Purcha to the complainant and the petitioners were preparing a plan for construction of the house on the land of the complainant.

Allegation has been made that when the complainant objected in filling of the earth, petitioners assaulted him by lathi and caused injury.

The counsel for the petitioners submits that petitioners have acquired the land through sale deed as well as the D.C.L.R. has passed the order in their favour.

Looking to facts and circumstances of the case, the petitioners, above named, in the event of arrest or surrender before the court below within a period of four weeks from today, be released on bail on their furnishing bail bond of Rs.10,000/-each with two sureties of the like amount each to the satisfaction of Judicial Magistrate-I, Saharsa in connection with SC/ST P.S. Case No. 60 of 2013, subject to the condition as laid down under Section 438 (2) Cr. P.C. and whenever the Police will call the petitioners for investigation/interrogation, they will present themselves. If they would not present themselves, the privilege of this bail will be treated to have been cancelled.

(Shivaji Pandey, J)

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