

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13819 of 2016

Arising Out of PS.Case No. -189 Year- 2012 Thana -MADHEPUR District- MADHUBANI

- =====
1. Ganga Prasad Mahto, son of Raj Kishore Mahto.
 2. Shankar Mahto, son of Sonam Mahto.
 3. Gauri Shankar Prasad, son of Sitaram Mahto.
 4. Lakshmi Mahto @ Lakshmi Narayan Mahto, son of late Ruplal Mahto
 5. Satan Mahto alias Satya Narayan Mahto, son of Late Awadh Mahto.
- All of village-Harbhangha, P.S.-Madhepur (R.S. Shivir), District-Madhubani. Petitioners

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate
For the Opposite Party/s : Mr. Ram Shankar Das, Spl. P.P.

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 01-04-2016 Heard learned counsel for the petitioners and learned Special Public Prosecutor for the State.

The petitioner seeks pre-arrest bail in connection with Madhepur P.S. Case No. 189 of 2012 registered under Sections 147, 148, 149, 342, 354, 379 and 504 of the Indian Penal Code and Section 3(x) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act.

Regard being had to the nature of allegation made in the FIR, in view of the statutory bar under Section 3(x) of the

Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989, the present application under Section 438 of the Code of Criminal Procedure is not maintainable.

In that view of the matter, the application is disposed of as not maintainable.

In case the petitioners surrender and seek bail, the same shall be considered on its own merit without being prejudiced in any manner by this order.

(Ashwani Kumar Singh, J.)

Sanjeet/-

U		T	
---	--	---	--