

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25071 of 2016

Arising Out of PS.Case No. -11 Year- 2015 Thana -SC/ST P.S. District- SARAN

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1. Sharvan Kumar Singh, Son of Bhageshwar Singh
2. Subodh Kumar Singh, Son of Benimadhav Singh
3. Mukesh Kumar Singh, Son of Bhageshwar Singh All are resident of
Village- Pirauna, P.S.- Garkha, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Kumar Sinha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 20-06-2016

Heard learned counsel for the petitioners and the State.

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 323, 325, 379, 504/34 of the Indian Penal Code and 3(1) (x) of the S.C./S.T.(Prevention of Atrocities) Act.

The prosecution case is that while the informant was drinking water from the hand pump near the house of accused persons then all accused persons came and started abusing and assaulting the informant.

It is submitted by the learned counsel for the petitioners that in pursuance to the land dispute the accusation has been levelled. For the occurrence of

06.03.2015 the First Information Report was registered on 07.03.2015. Garkha P.S. Case No. 54 of 2015 has been lodged by co-accused Subodh Singh against the informant and others at earlier point of time. It is further submitted that the Final Report under Sections 323, 504/34 of the Indian Penal Code and 3(1) (x) of the S.C./S.T.(Prevention of Atrocities) Act has been submitted against the petitioners, but as per the accusation the actual occurrence took place at the house of the petitioners which cannot be treated to be a place of public place.

Considering the nature of accusation in the background of land dispute and the case lodged by the petitioners' side at earlier point of time, let the learned court below consider the prayer for regular bail of the petitioners, if the petitioners surrender before the learned court below within a period of six weeks from today in connection with Saran S.C./S.T. P.S. Case No. 11 of 2015, pending in the court of learned Sri Dibya Prakash, J.M., Ist Class, Saran at Chapra.

With the above observation this application is disposed of.

(Dinesh Kumar Singh, J)

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