

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 38108 of 2016

Arising Out of PS.Case No. -122 Year- 2016 Thana -BIBHUTIPUR District- SAMASTIPUR

- =====
1. Rambali Mahto Son of Late Uttam Mahto.
 2. Satish Mahto, Son of Rambali Mahto
 3. Rajesh Mahto Son of Bunni Lal Mahto.
 4. Rambabu Mahto, Son of Yugal Mahto.
 5. Ram Bilas Mahto, Son of Late Ghuran Mahto.

All are resident of Village- Deeh Tabhaka, P.S.- Bibhutipur, District- Samastipur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Abhay Shankar Singh

For the Opposite Party/s : Mr. Sadanand Paswan

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 09-09-2016 Heard Sri Abhay Shankar Singh, learned counsel for petitioners and learned Special Public Prosecutor.

Five petitioners, apprehending their arrest in Bibhutipur P.S. Case No. 122 of 2016 registered for offence under Sections 447, 341, 323, 324, 354(A), 504/34 of the Indian Penal Code and Section 3(i)(x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (in short “SC/ST Act”), have prayed for grant of bail in the event of arrest or surrender.

It was submitted by learned counsel for petitioners that in a land dispute, colour of serious offence has been given by

the informant. He further submits that injury report does not corroborate the allegation made in the F.I.R. He further submits that there is no specific accusation against the petitioner no. 1, 2 and 3. Only there is general and omnibus allegation.

However, after going through the F.I.R., particularly the fact that there is allegation of commission of offence under Section 3 of the SC/ST Act, the Court is of the opinion that in view of Section 18 of the SC/ST Act, it would be difficult for this Court to entertain the present petition.

Dismissed.

(Rakesh Kumar, J.)

Anay

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