

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14824 of 2016

Arising Out of PS.Case No. -179 Year- 2013 Thana -SC/ST PS District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Birendra Patel
 2. Chandeshwar Patel
 3. Hareshwar Patel, all sons of Anant Patel
 4. Sheo Patel @ Sheo Kumar Patel, son of Birendra Patel, all are residents
of Village-Nayagaon, P.S.- Kesariya, District- East Champaran
- Petitioners

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Sadanand Paswan, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 04-05-2016 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out
of SC/ST Motihari P.S. Case No. 179 of 2013, disclosing offences
under Sections 447, 341, 323, 379, 504, 506/34 of the Indian Penal
Code, 1860 and Section 3 (1), (i), (v), (x) and (xi) of the
Scheduled Castes and Scheduled Tribes (Prevention of Atrocities),
Act, 1989.

There is no allegation in the First Information Report
that the occurrence took place within public view.

It is accordingly submitted on behalf of the petitioners
that no offence under Section 3 (1)(x) of the Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities), Act, 1989 is made
out. He further submits that allegation of assault as made in the

First Information Report of snatching Mangalsutra, are ornamental in nature. He submits that there is no chance that the petitioner shall be tampering with the evidence of witnesses in any manner.

Considering the facts and circumstances and nature of accusation, this application is allowed.

Let the petitioners, above-named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned 11th Additional Chief Judicial Magistrate, East Champaran at Motihari in connection with SC/ST Motihari P.S. Case No. 179 of 2013, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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