

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22113 of 2015

Arising Out of PS.Case No. -135 Year- 2014 Thana -RAHIKA District- MADHUBANI

=====

1. Shankar Sah Son of Late Laxman Sah resident of village- Rahika, P.S.-
Rahika, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s Mr. Sadanand Paswan(Spl.App)

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 07.07.2015 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Rahika
P. S. case no. 135/2014 registered under sections 427, 504 of the
Indian Penal Code and section 3 (X) 2 (iii) of the SC/ST (Prevention
of Atrocities)Act..

The contention on behalf of the petitioner is no case under
section 3 (X) 2 (iii) of the SC/ST (Prevention of Atrocities) Act is
made out and so far as rest sections are concerned, the same are
bailable in nature. It is further contended on behalf of the petitioner
that the informant is not wife of Ganaur Sadai and, as a matter of fact,
she does not belong to scheduled tribe community. Moreover, even if
the prosecution story assumed to be true, then also, no offence under
the SC/ST Act is made out.

Taking note of the aforesaid facts and circumstances as well

as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that in the event of arrest/ surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of Sri Ajay Kumar II, Judicial Magistrate, Ist Class, Madhubani/concerned court in Rahika P. S. case no. 135/2014 subject to condition as laid down under section 438(2) of the Cr.P.C.

shahid

(Hemant Kumar Srivastava,J)

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