

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37417 of 2015

Arising Out of PS.Case No. -31 Year- 2015 Thana -SABOUR District- BHAGALPUR

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1. Kamal Kishore Sah son of Kuldeep Sah, resident of village- Swaroop Chak, P.S.- Goradih, District- Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-09-2015

Heard learned counsels for the petitioner and
the State.

Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 324, 379, 354, 504, 506 of the Indian Penal Code and Section 3(1)(x) of the SC & ST (Prevention of Atrocities) Act.

The accusation is of abusing the informant by calling caste name and making assault to the informant and her family.

It is submitted by learned counsel for the petitioner that for the occurrence of 09.02.2015 the First Information Report was registered on 21.02.2015 which reached to the Court of learned Judicial Magistrate on 24.02.2015 which suggests that by ante-dating the F.I.R. has been registered. The superficial injuries have been found on the

person of the informant's side and under Section 107 Cr.P.C proceeding was initiated prior to lodging of the present case between the parties.

A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the delayed lodging of the F.I.R and the accusation being levelled in the background of under Section 107 Cr.P.C proceeding, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Sabour(Goradih) P.S. Case No. 31 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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