

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.10371 of 2015**

Arising Out of PS.Case No. -3 Year- 2015 Thana -ARA HARIJAN District- BHOJPUR

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1. Akhileshwar Prasad Singh @ Akhilesh Prasad Son of Ram Chander  
Singh Head Master Karara Basantpur, P.S. Ara Muffasil, District Bhojpur.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ram Ayodhya Singh

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

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
**ORAL ORDER**

02/ 20.03.2015 Heard learned counsel for the petitioner as well as learned  
Addl. Public Prosecutor for the State.

Only section 3 (I) (X) of the SC/ST (Prevention of  
Atrocities) Act is non-bailable and so far as section of Indian Penal  
Code is concerned, the same is bailable in nature.

Learned counsel for the petitioner submits that provision of  
section 3 (I) (X) of the SC/ST (Prevention of Atrocities) Act is not  
applicable in this case because the present case has been filed by the  
informant with mala fide intention. It is further contended by him that  
informant was working as secretary of the concerned school and he  
was removed from the above stated post on 10.09.2014 and thereafter,  
informant gave threat to the petitioner to implicate in false case.  
Petitioner immediately gave information to Superintendent of Police,  
Bhojpur at Ara regarding the above stated threat and thereafter,  
Superintendent of Police got enquired the matter and it was found that

informant had threatened the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties, particularly, keeping in mind that alleged occurrence took place on account of dispute of removal of informant from the post of secretary of the concerned school and accordingly, 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 the Chief Judicial Magistrate, Bhojpur at Ara in Bhojpur(Ara) SC/ST P.S. Case no. 03/2015 subject to condition as laid down under section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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