

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16664 of 2015

Arising Out of PS.Case No. -394 Year- 2014 Thana -MUZAFFARPUR SADAR District-
MUZAFFARPUR

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Manna Singh Son of Shailendra Kumar Singh resident of village -
Bhikhanpura, P.S. Sadar, District - Muzaffarpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ganesh Prasad Singh, Advocate.

For the Opposite Party : Mr. Kalayan Shankar (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 05-05-2015 Heard both sides.

The petitioner apprehends his arrest in Muzaffarpur Sadar P.S. Case No. 394 of 2014, registered for the offences punishable under Sections 147, 148, 149, 323, 379, 427 and 452 of the Indian Penal Code and Sections 3(i)(x) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act.

The informant alleged that the petitioner and other accused persons entered into his house abused the informant and they indiscriminately assaulted him.

It is submitted that co-accused Sanjay Kumar Singh, Tinku Singh, Guddu Singh @ Guddu Kumar Singh, Sunil Singh @ Gabbar Singh and Kundan Singh have already been enlarged on anticipatory bail vide order passed in Cr. Misc. No. 6071 of 2015. From the side of the petitioner Muzaffarpur Sadar P.S. Case No. 393 of 2014

was registered prior to lodging of the present case.

On the other hand, learned counsel for the informant submits that the fardbeyan of the informant was earlier in point of time. It was the petitioner who abused the informant by naming his caste. The case of the petitioner stands on different footing from the case of the co-accused who had already been enlarged on bail.

There appears that all the accused persons entered into the house of the informant along with the petitioner and petitioner is an order giver, he is alleged to have abused the informant but other accused persons assaulted the informant. There is a counter version also.

Considering the facts aforesaid, the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged 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 the learned Chief Judicial Magistrate, Muzaffarpur in connection with Muzaffarpur Sadar P.S. Case No. 394 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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