

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12188 of 2015

Arising Out of PS.Case No. -41 Year- 2014 Thana -HARIZAN District- BEGUSARAI

Rameshwar Sah @ Ramesh Kumar

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Shashi Nath Jha, Advocate.

For the Opposite Party : Mr. Ram Shankar Das(Spl.P.P.)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 31-03-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioners apprehends his arrest in a case registered
under Sections 376/511/34 of the I.P.C. and 3(1)(xi) of the SC/ST
(Prevention of Atrocities)Act.

The contention on behalf of the petitioner is that one
Banke Malakar who happens to be neighbour of the petitioner, set
up the informant who is none else than the sister-in-law of the
aforesaid Banke Malakar. It is further contended by him that the
above stated Banke Malakar has inimical term with the petitioner
due to land dispute and as a matter of fact the petitioner is a
Railway employee and he was present on his duty on the alleged
date of occurrence. It is further contended by him that moreover
the Investigating Agency has found the case true only for

occurrence under Sections 341, 323, 504, 354 of the I.P.C. and 3(1)(x) of the SC/ST (Prevention of Atrocities) Act, but Section 3(1)(x) of the SC/ST (Prevention of Atrocities) Act is not applicable in the present case.

Regard being had to the facts and circumstances of the case as well as submission of the parties, I am not inclined to grant privilege of anticipatory bail to the petitioner and accordingly, his prayer for anticipatory bail in connection with SC/ST P.S. Case No. 41 of 2014, pending in the court of the learned A.C.J.M., Begusarai, stands rejected. However, this order shall not cause any prejudice to the concerned court at the time of consideration of regular bail application of the petitioner.

U.K./-

(Hemant Kumar Srivastava, J)

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