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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17290 of 2015

Arising Out of PS.Case No. -7 Year- 2014 Thana -HARIJAN District- PATNA

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Rahul Kumar @ Rahul Kumar Srivastava S/o Late Komal Lal Srivastava, Resident of village- Chhotaki Kopan, P.S.- Naubatpur, District- Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :
For the Petitioner/s : Mr. Rang Nath Choubey, Adv.
For the Opposite Party/s : Mr. Sadanand Paswan, Spl. P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL ORDER

3 30-07-2015 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

This is an application seeking anticipatory bail in a case registered for the offences punishable under Sections 323, 341, 504 and 354 of the Indian Penal Code and Section 3 (1)(xiv) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Act, 1989.

It appears that Patna S.C. & S.T. P.S. Case No. 07 of 2014 has been registered on the basis of complaint lodged by one Rina Kumari with the Bihar State Women Commission, Patna.

From the allegation made, it appears that the petitioner is alleged to have taken name of the caste of the

informant when she has gone for repayment of loan, which she had given to her friend, Madhu Kumari. The petitioner is brother of Madhu Kumari, who is said to have misbehaved with the informant. From the First Information Report, I find that there is vague allegation that the occurrence took place in public view and I am of the considered view that this application for anticipatory bail cannot be rejected on the ground of bar under Section 18 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Act.

In view of the submission as above, let the petitioner above named, in the event of his arrest or surrender before the court below within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna in connection with Patna S.C. & S.T. P.S. Case No. 07 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Chakradhari Sharan Singh, J.)

Vats/-

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