

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21853 of 2015

Arising Out of PS.Case No. -331 Year- 2014 Thana -HARSIDHI District- EAST CHAMPARAN
(MOTIHARI)

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1. Bhulan Patel @ Rohit Kumar son of Nandu Patel Resident of Village-
Math Lohiyar, P.S Harsidhi, District East Champaran.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Shakil Ahmad Khan

For the Opposite Party : Mr. Ambika Bhagat(Spl.App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 09-07-2015

Heard both sides.

Petitioner apprehends his arrest in connection with
Harsidhi P.S. case no. 331 of 2014, registered under Sections
341,323,324,307,379, 504/34 of the IPC and Section 3(1)(x) of
the Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act.

The informant belongs to weaker sections of the
society.

The allegation is that while the son of the informant
was returning from call of nature two accused persons being
father and son assaulted him. It is alleged that father assaulted
with knife whereas the petitioner is alleged to have assaulted

in the different parts of the body with iron rod.

Contention of the petitioner is that the allegation have been levelled due to village politics. There is animosity between the petitioner and the informant. The penal provisions under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act would not be attracted in the present case.

Mr. Bhagat, on the other hand, states that the son of the informant mercilessly assaulted by the petitioner and his father. It appears from the FIR also that the assault was made considering the fact that he belongs to down trodden community.

Regard being had to the allegation, I am not persuaded to extend the benefit of anticipatory bail to the petitioner. Prayer for bail is rejected.

(Kishore Kumar Mandal, J)

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