

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29902 of 2014

Arising Out of PS.Case No. -12 Year- 2014 Thana -SC/ST District- KHAGARIA

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1. Sheodhari Thakur @ Shivdhari Thakur Son of Late Ramotar Thakur R/o
Village Alouli, P.S. Alouli, District Khagaria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh

For the Opposite Party/s : Mr. Ramshankar Das (Spl.Pp)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 16-01-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends his arrest in connection with
Khagaria SC/ST P.S. Case No. 12 of 2014 registered for the
offences punishable under Sections 504, 384 of the Indian Penal
Code and Sections 3 (i) (x) of the SC/ST (Prevention of
Atrocities) Act.

Allegedly, the petitioner being the Mukhiya on
demand by the informant did not give the amount of work
assigned to him and thereafter, when demand was made, the
petitioner became angry and abused in filthy language and also by
using his caste name.

Submission is that the payment has already been

made though cheque. The informant knows that Mukhiya is not the custodian of the amount and he cannot pay the amount but in spite of that with wrong allegation the case has been lodged. The occurrence has not taken place within public view rather at the door of the petitioner, and as such, offence under the provisions of SC/ST Act is not attracted to which the learned APP opposes.

From plain reading of the FIR it appears that it is a fit case of regular bail, as such the petitioner above named is directed to surrender before the court below and seek regular bail and in that event the petitioner shall be enlarged on bail on execution of bail bond to the satisfaction of the court concern itself on the same day without being prejudiced by the present order.

Accordingly, this application is disposed of with the aforesaid directions.

(Jitendra Mohan Sharma, J)

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