

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33041 of 2014

Arising Out of PS.Case No. -14 Year- 2014 Thana -SC/ST District- SITAMARHI

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Sushil Sah, Son of Bhola Sah , resident of village -Punaura, P.S.+ District - Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Hans Lal Kumar, Adv.

For the Opposite Party : Mr. Sadanand Paswan (APP)

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

2 04-02-2015 The petitioner figures as an accused in SC/ST Sitamarhi P.S. Case No.14/2014, for the offence punishable under Sections- 342, 323, 379, 504 and 506 of I.P.C. read with Sections-3(1)(X) of SC/ST (Prevention of Atrocities) Act.

The petitioner filed A.B.P. No.622 of 2014 in the Court of learned Sessions Judge, Sitamarhi, which was dismissed through order dated 7.6.2014.

This application is filed under Section-438 of Cr.P.C. with a prayer to grant anticipatory bail in connection with SC/ST Sitamarhi P.S. Case No.14/2014 on the file of Chief Judicial Magistrate, Sitamarhi.

Heard learned counsel for the petitioner and learned APP for the State.

Broadly contents of the complaint against the petitioner are that when the complainant was returning from a rally of the Chief Minister of Uttar Pradesh in a four wheeler, ten to fifteen unknown persons stopped the vehicle, bate him and tore his clothes. However, at a latter stage he stated that the petitioner herein scolded him in the name of his caste.

Prima facie, there appears to be some inconsistency in the complaint itself. Therefore, this Court is convinced that the petitioner deserves to be granted anticipatory bail. The application is allowed.

In the event of the arrest or surrender of the petitioner, he shall be released on bail on furnishing the bail-bond of Rs.10,000/- (ten thousand) along with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Sitamarhi in connection with SC/ST Sitamarhi P.S. Case No.14/2014, subject to the conditions laid down under Section-438(2) of Cr.P.C.

(L. Narasimha Reddy,CJ)

K.C.jha/-

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