

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30197 of 2015

Arising Out of PS.Case No. -25 Year- 2015 Thana -BABUBARHI District- MADHUBANI

Bhawdeo Mahto, son of Sri Lal Mahto, resident of
Village-Bardahi, P.S.-Babubarhi, District-Madhubani

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar, Advocate

For the Opposite Party/s : Mr. Sadanand Paswan(Spl.PP)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 05-08-2015 Heard learned counsel for the petitioner and the
learned Special P.P. for the S.C./S.T. cases.

The petitioner is apprehending his arrest in connection with Babubarhi P.S. Case No.25 of 2015 for allegedly having committed the offences under Sections 341, 323,307, 504/34 of the Indian Penal Code and Section 3(x) of the S.C./ST Act.

Learned counsel for the petitioner submits that the entire allegations against the petitioner are false and fabricated and the lady in question has been set up by others to harass this petitioner. Learned counsel for the petitioner submits that the provision of S.C./S.T. Act is also not attracted as the occurrence, as alleged, is said to have taken place at an isolated point and not in public view. Learned counsel also points out that there are no witnesses as is evident from a bare perusal of the F.I.R. itself.

Considering the aforementioned submissions and also the injury report, which does not support the prosecution story, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Shri Niraj Kishore, learned Judicial Magistrate, 1st Class, Madhubani, in connection with Babubarhi P.S. Case No.25 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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