

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36255 of 2015

Arising Out of PS.Case No. -63 Year- 2014 Thana -SC/ST P.S. District- NAWADA

1. Devendra Singh Son of Late Satyanaraya Singh resident of village -
Dhanwara, Police Station - Akbarpur in the district of Nawada

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar

For the Opposite Party/s : Mr. M.K.Khare(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 08-09-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147,148,149,341,323,325,307 and 504 of the Indian Penal Code, section 3(1) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act and section 27 of the Arms Act.

The prosecution case is that while casting votes during PACS election the accused persons including the petitioner assaulted the informant and made indiscriminate firing. It is further alleged that the accused persons abused the informant by calling caste name.

It is submitted by the learned counsel for the petitioner that none received injury and the Presiding Officer has suggested

that there was no disturbance on the polling booth. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent. It is further submitted that for the occurrence of 1.11.2014 at 11.30 A.M. the FIR was registered on the same day at 6 P.M. but the FIR reached to the court of the CJM on 6.11.2014 which reflects that the FIR was registered by antedating.

Considering the accusation against the mob and delayed reached of the FIR to the court clouds the bonafide of accusation, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Nawada in connection with Nawada SC/ST P.S. Case No.63 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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