

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37368 of 2015

Arising Out of PS.Case No. -56 Year- 2015 Thana -SC/ST P.S. District- MUZAFFARPUR

1. Prof Lakshmeshwar Thakur @ Laxmeshwar Thakur Son of Late
Ramyad Thakur, Resident of village- Shekhpur, P.S.- Ahiyapur, District-
Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Pd. Sinha, Sr. Advocate
Mrs. Madhuri Lata

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

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 11-09-2015 Heard learned senior counsel for the petitioner and
learned Additional Public Prosecutor appearing on behalf of the
State.

This application for grant of anticipatory bail arises out
of P.S. Case No. 56 of 2015, disclosing offences under Sections
341,323,504,506/34 of the Indian Penal Code and 3(i) (x) of the
Scheduled Castes and Scheduled Tribes (Prevention of Atrocities)
Act, 1989.

Having considered the submissions made by learned
Senior counsel appearing on behalf of the petitioner that the
prosecution case as narrated in the First Information Report is
highly improbable and the case has been instituted out of

vengeance, though I am satisfied that in normal circumstance the petitioner would have been entitled for grant of privilege of anticipatory bail. However, on the basis of the allegations made in the First Information Report, an offence under Section 3(i) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 is made out which restrains me from granting the petitioner, this privilege.

In such view of the matter, this application for anticipatory bail is rejected with a direction to the petitioner to surrender before the Court below within two weeks from today and seek for regular bail. If he does so, learned court below will be obliged to consider petitioner's application for regular bail on the same date and pass appropriate order, without being prejudiced by the rejection of the present anticipatory bail application.

(Chakradhari Sharan Singh, J)

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