

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8072 of 2015

Arising Out of PS.Case No. -300 Year- 2014 Thana -BUDDHACOLONY District- PATNA

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1. Bipin Yadav Son of Late Shiv Nath Rai, Resident of Village- Shalimpur
Ahra, P.S.- Gandhi Maidan, Distt- Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhola Kumar

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

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 26-08-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

By way of filing an application under section 438 of
the Code of Criminal Procedure, the petitioner seeks anticipatory
bail in connection with Buddha Colony P.S. Case No. 300 of 2014
registered for the offences punishable under sections 448, 341,
506, 379 and 387 of the Indian Penal Code and 3(1)(x) of the
Scheduled Castes and the Scheduled Tribes (Prevention of
Atrocities) Act, 1989

It is contended that the alleged occurrence did not
take place in any place within public view and hence there would
no application of section 3(1)(x) of the Scheduled Castes and the
Scheduled Tribes (Prevention of Atrocities) Act. The dispute

between the parties is trivial in nature and later on the parties amicably resolved the dispute. It is further contended that in this regard a compromise petition has also been filed before the court of learned Magistrate before whom the matter is pending.

Learned counsel for the State, after going through the case diary, concedes that the fact relating to compromise between the parties has also been recorded by the Investigating Officer of the case during investigation.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender before the court below within six weeks from today, the petitioner Bipin Yadav is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Patna in connection with Buddha Colony P.S. Case No. 300 of 2014, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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