

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41220 of 2015

Arising Out of PS.Case No. -42 Year- 2015 Thana -BASOPATTI District- MADHUBANI

Nawal Kishore Jha, son of Late Mahavir Jha

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 12-10-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 353, 384, 448, 504, 506, 427 of the Indian Penal Code and section 3(1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The prosecution case is that the informant being the BDO of Basopatti was abused in his official chamber by calling caste name and threatened by the petitioner, who is the Ward Member of the Panchayat.

It is submitted by learned counsel for the petitioner that maliciously the accusation has been levelled due to some petty dispute. For the occurrence of 11.04.2015 at 05.30 pm, the F.I.R. was registered on 11.04.2015 at 08.30 pm but it reached to the

court of learned Judicial Magistrate, Madhubani on 21.04.2015 which suggests antedating of F.I.R.

Considering the delayed transmission of the FIR to the court of learned Judicial Magistrate and the petitioner having no criminal antecedent, 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 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Madhubani in connection with Basopatti P.S. Case No.42 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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