

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41609 of 2014

Arising Out of PS.Case No. -133 Year- 2014 Thana -EAST CHAMPARAN COMPLAINT District-
EAST CHAMPARAN (MOTIHARI)

Bulet Singh @ Raj Kumar Singh, Son of Late Shankar Singh, Resident of
Village - Fultakia, P.S. - Kesariya, Distt. - East Champaran.

.... Petitioner

Versus

1. The State of Bihar
2. Siyaram Ram, S/o Late Dineshar Ram, Vill.-Fultakia, P.S.-Kesariya,
Distt.-East Champaran. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mr. Ambika Bhagat, Spl. PP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 28-01-2015

Heard learned counsel for the petitioner and learned
counsel for the State as well as learned counsel appearing on
behalf of the opposite party no. 2.

By order dated 2.12.2014 while issuing notice to the
opposite party no. 2, the petitioner was granted provisional bail
in connection with Complaint Case No. 133 of 2014. In the said
case, cognizance has been taken of the offences punishable
under Sections 323, 379 of the Indian Penal Code and 3(1)(x) of
the SC & ST (Prevention of Atrocities) Act.

It has been contended on behalf of the petitioners
that the alleged date of occurrence in the complaint is 3rd
January, 2014 but the complaint was filed in the Court on 17th

January, 2014. There is no plausible explanation for the undue delay caused in filing the complaint. It has further been submitted that as a matter of fact one of the co-accused Arvind Singh had instituted Kesariya P.S. Case No. 8 of 2014 on 13th January, 2014 against the complainant of the present case. The said case was registered for the offences punishable under Sections 341, 323, 324, 307 and 379 read with 34 of the Indian Penal Code and just in order to put pressure the present complaint has been instituted with ulterior motive.

On the other hand, learned counsel appearing on behalf of the opposite party no. 2 has vehemently opposed the prayer for bail. He has submitted that the petitioner does not deserve to be released on bail as he is a dreaded criminal. According to him, the offences alleged are very serious in nature.

Be that as it may, having regard to the facts and circumstances of the case, the provisional bail granted to the petitioner vide order dated 02.12.2014 is hereby confirmed.

(Ashwani Kumar Singh, J.)

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