

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12724 of 2015

Arising Out of PS.Case No. -132 Year- 2014 Thana -CHAKIA District-
EASTCHAMPARAN(MOTIHARI)

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1. Dhuni Devi Wife of Sohan Sah Resident of Village- Konhiya P.s.-
Chakia, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha

For the Opposite Party/s : Mr. Ambika Bhagat(Spl. P.P.)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 27-03-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341,323,504 and 506/34 of the Indian Penal Code and sections 3(1)(vi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The accusation is of making assault and abusing the informant by calling the caste name and the petitioner snatched silver chain worth Rs.3000/-. When the husband of the informant came to rescue, he was also assaulted.

It is submitted by the learned counsel for the petitioner that since the occurrence took place at the door of the informant,

hence the case does not come within the purview of public view. More over, even assuming the accusation no offence under section 3(1)(vi) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 is made out. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent. It is further submitted that the informant has retracted from the initial version and has filed a petition to that effect before the learned court below.

Considering the aforesaid facts, 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 JM Ist Class, Sadar, Motihari, East Champaran in connection with Chakia P.S. Case No. 132 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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