

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23980 of 2015

Arising Out of PS.Case No. -22 Year- 2015 Thana -ST/SC (HARIJAN) District- BHABHUA
(KAIMUR)

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1. Brij Kishore Singh @ Dabbu Singh son of Haridwar Singh, Resident of
village- Narahan, P.S.- Ramgarh, District- Kaimur (Bhabua)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Mishra

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 09-07-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under sections 436,427,452,504 and 506/34 of the Indian Penal Code and sections 3(1)(iii) and (iv) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The accusation is of abusing the informant by calling the caste name and putting the hutment on fire.

It is submitted by learned counsel for the petitioner there is nothing on record to suggest that anything was destroyed as a result of hutment being put on fire and actually the hutment was put on fire and this fact has been noticed by the learned

Sessions Judge in the last paragraph of the impugned order. More over, the occurrence took place in the dwelling house which suggests that the case under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act is not made out. It is further submitted that for the occurrence of 9.4.2015 at 10 PM the FIR was registered on 10.4.2015 at 5 P.M. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Let the learned court below consider the prayer for regular bail of the petitioner in case the petitioner surrenders within six weeks from today in connection with SC/ST P.S. Case No. 22 of 2015 pending in the court of learned C.J.M., Bhabhua (Kaimur).

This application is disposed of with the aforesaid observation/direction.

(Dinesh Kumar Singh, J)

Anil/-

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