

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23808 of 2015

Arising Out of PS.Case No. -171 Year- 2014 Thana -AURAI District- MUZAFFARPUR

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Pintu Kumar @ Shambhu Kumar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shilpi Keshri

For the Opposite Party/s : Mr. Ram Shankar Das (Spl.Pp)

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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 341, 323 and 504/34 of the Indian Penal Code and Section 3 (I) (X) of the SC/ST (Prevention of Atrocities) Act.

It is alleged that the informant was erecting hut on his land when the petitioner and co-accused Shambhu Kumar came and threw the construction materials collected for erecting the hut, abused the informant by calling caste name and also assaulted the informant and when the son of the informant came to rescue, he was also assaulted.

It is submitted by learned counsel for the petitioner that the accusation has been levelled in the background of 145 Cr. P.C. proceeding pending between the parties and for the occurrence of

08.08.2014, the FIR has been lodged on 13.08.2014 which reached to the court of learned In-charge CJM on 19.08.2014 which suggests that the FIR has been lodged by antedating.

Considering the accusation in the background of 145 Cr. P.C. proceeding initiated between the parties at earlier point of time with regard to the land in question and the delayed lodging of the FIR, 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 C.J.M., Muzaffarpur in connection with Aurari P.S. Case No. 171 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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