

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45170 of 2014

Arising Out of PS.Case No. -157 Year- 2014 Thana -BAHADURPUR District- PATNA

Kanhai Yadav, Son of Lachan Yadav, resident of village Sandalpur Tola,
P.S. Bahadurpur, District Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Ashutosh Singh
For the State : Mr. Ramshankar Das(Spl.P.P
For the informant : Mr. Bijendra Pd. Sinha, Advocate

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 10-04-2015 I have heard learned counsel for the petitioner, the
State and the informant.

The petitioner apprehends his arrest in connection
with Bahadurpur P.S. Case No. 157 of 2014 registered for
offences punishable under Sections 504/34 of the Indian Penal
Code and 3 (x) of the Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act.

Learned counsel for the petitioner submits that it has
been apparent from the allegation itself that there is dispute with
regard to a window which allegedly was opened towards the land
of the informant. Allegation is that she was abused by taking
caste name etc. when she told the petitioner to close the window.
However, it is submitted that the allegation is false and concocted
and there is no application of Section 3(x) of the Scheduled

Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989
inasmuch as there is no allegation that the alleged occurrence took
place in public view.

Having regard to the facts and circumstances of the
case, let the petitioner, namely, Kanhai Yadav be released on
bail in the event of arrest/surrender before the court below
within a period of six weeks from today in Bahadurpur P.S. Case
No. 157 of 2014, on furnishing bail bond of Rs.10,000 (Ten
Thousand Rupees) with two sureties of the like amount each to
the satisfaction of Additional Chief Judicial Magistrate, Patnacity
subject to the conditions as laid down under sub-section(2) of
Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

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