

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28209 of 2015

Arising Out of PS.Case No. -244 Year- 2013 Thana -PRANPUR District- KATIHAR

Nand Kumar Thakur @ Nando Jha Son of late Shilakant Jha, resident of
Mohalla- Mangal Bazar, P.S Nagar, District Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shambhu Sharan Singh, Adv.
For the State : Mr. Jitendra Kumar Singh, APP
For the Informant : Mr. Bipin Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 28-07-2015 Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the informant.

2. The petitioner apprehends his arrest for the offences alleged under Sections 341, 323, 448, 379, 504/34 of the Indian Penal Code and Section 3(i)(x) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act registered in connection with Pranpur P.S. Case No. 244 of 2013.

3. It is submitted that the petitioner has been falsely implicated as admittedly even according to the F.I.R. the occurrence took place at mid night inside the house of the informant and thus not in public view. As such the ingredients of offence under SC/ST Act are not made out. It is further submitted that there is ongoing land dispute

between the parties in respect of which this Court had passed an order of status quo in C.W.J.C. No. 9892 of 2013.

4. Learned counsel for the informant suo motu appears and opposes the anticipatory bail petition.

5. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Katihar in connection with Pranpur P.S. Case No. 244 of 2013 subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Vikash Jain, J)

Md. Ibrarul/-

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