

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32967 of 2015

Arising Out of PS.Case No. -325 Year- 2014 Thana -BARHARIA District- SIWAN

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Manir Ansari @ Md.Manir Ansari Son of Wakil Mian, R/o Village -
Sallahpur, P>S. - Barharia / B. B. Nagar, District - Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Aslam Ansari

For the Opposite Party/s : Mr. Sadanand Paswan(Spl.Pp)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 17-08-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in Barharia
(G.B. Nagar) P.S. Case No.325/14 for the offences under Sections
341,323, 354, 504/34 of the I.P.C. and 3(i)(x) of the Scheduled
Castes and Scheduled Tribes (Prevention of atrocities)Act.

Learned counsel for the petitioner submits that he is
apprehending his arrest once again as earlier under some
misguided advice he had filed bonds before the police for his
release though the sections under which he is facing prosecution
are non-bailable and non-compoundable. The petitioner had
approached this Court for grant of anticipatory bail which was
rejected on the premise that as the petitioner had surrendered

before the police there was no question of anticipatory bail.

After weighing the entire circumstances this Court found that there is no provision for police to grant bail. The petitioner was directed that he may approach before an appropriate court for grant of bail.

So far as merits of the case is concerned, considering the facts and circumstances, it is evident from perusal of the F.I.R. that the allegations made against the petitioner have occurred at an isolated place and not within the public view. Further the fact that there is history of litigation between the parties for and on account of which fact false and frivolous allegations have been made against the petitioner including invoking the provision under SC/ST Act, let the petitioner, above named, in the event of his arrest or surrender before the court below within three weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the C.J.M., Siwan, in Barharia (G.B. Nagar) P.S. Case No.325/14 subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Anjana Mishra, J)

AnilKrSinha/-

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