

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35238 of 2015

Arising Out of PS.Case No. -32 Year- 2015 Thana -NARDIGANJ District- NAWADA

Mukesh Singh

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Kumar, Advocate

For the Opposite Party/s : Mr. Ambika Bhagat(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 20-08-2015 Heard learned counsels for the petitioner, informant and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 379, 384, 504, 506 of the Indian Penal Code and section 3(1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The prosecution case is that the accused persons were unloading the construction material on the land of the brother of the informant when protest being made the informant was abused by calling caste name and assaulted by fists and slaps. It is alleged that co-accused Arvind Singh snatched mobile worth Rs.26,000/-, co-accused Tuntun Singh snatched gold chain worth Rs.26,000/- and the petitioner took away Rs.50,000/- from the pocket of the

informant.

It is submitted by learned counsel for the petitioner that accusation has been levelled in the background of 144 Cr.P.C. proceeding between the parties. For the alleged occurrence, the F.I.R. was registered on 17.04.2015 but it reached to the court of learned ACJM on 20.04.2015 which suggests antedating of F.I.R. Moreover, a statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the accusation being levelled in the background of litigated relationship between the parties, 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 Chief Judicial Magistrate, Nawada in connection with Nardiganj P.S. Case No.32 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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