

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39165 of 2015

Arising Out of PS.Case No. -25 Year- 2014 Thana -SC/ST District- ARRARIA

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Md. Nizamuddin S/o Md. Chhutarharu Mian resident of Village Baturbari,
Ghurna Tola, Ward No.03, P.S. Tarabari, District Araria.

.... Petitioner

Versus

1. The State of Bihar
2. Hema Devi W/o Sultan Ram resident of Village Baturwari, Ghuran Tola,
Ward No.03, P.S. Tarabari, District Araria.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate

For the Opposite Party/s : Mr. Sadanand Paswan, Spl. P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 28-09-2015 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Complaint Case No. 445C of 2014, disclosing offence under Sections 323, 341, 504, 427, 448 and 380/34 of the Indian Penal Code and Section 3/4 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Act, 1989.

Learned counsel for the petitioner submits that for the same occurrence, the complainant lodged two cases; one giving rise to SC/ST P.S. Case No. 25 of 2014 and the other, the present Complaint Case No. 445C of 2014. He submits that the petitioner has been granted the privilege of anticipatory bail in Araria SC/ST

P.S. Case No. 25 of 2014, by an order dated 05.05.2014.

In view of the submission as above and in view of a decision in case of *Salim Ansari @ Md. Salim Ansari & Ors. Vs. The State of Bihar & Anr. reported in 2015(3) BBCJ V-53*, this application is disposed of with a liberty to the petitioner to appear before the court below, pursuant to the summons issued to him and seek regular bail.

It goes without saying that learned court below shall consider the petitioner's case for grant of privilege of bail in terms of the said decision of this Court as well as the order of this Court dated 05.05.2015 passed in Criminal Miscellaneous No. 14216 of 2015 as noted above on the same date.

This application stands disposed of, accordingly.

(Chakradhari Sharan Singh, J)

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