

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39640 of 2015

Arising Out of PS.Case No. -919 Year- 2014 Thana -BIHTA District- PATNA

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Jaswant Awadhiya @ Jashwant Kumar Son of Suresh Singh Resident of
Village - Musepur Police Station Bihta District Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-09-2015

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 341, 323, 448, 307 and 504/34 of the Indian Penal Code and Section 3(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the petitioner is of assaulting informant, causing injuries and abusing him by his caste name.

It has been submitted on behalf of the petitioner that he has been falsely implicated in the present case. From perusal of the injury report Annexures no. 2, 3 and 4 it appears that injuries are simple in nature except for the injury received by the informant, which has been reserved. No offence under Section 307 I.P.C. is made out. Though the informant is said to have received injury on the hand, i.e., on the non-vital part of the body. No offence under Section SC and ST Act is attracted as the alleged occurrence had not taken place in public place. It is further submitted that no motive is attributed in respect of the

alleged occurrence.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of arrest or surrender in the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate, Danapur, in connection with Bihta P..S. Case no.919/2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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