

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 47036 of 2014

Arising Out of PS.Case No. -69 Year- 2014 Thana -DHAKA District- EAST CHAMPARAN
(MOTIHARI)

=====

Binda Rai Son of Late Ganga Rai, resident of village - Auraiya, P.S. Dhaka,
District - East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr.

For the Opposite Party : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

2. 03-03-2015 Heard learned counsel for the petitioner and
learned Special P.P. for the State.

The petitioner seeks bail in Dhaka P.S. Case
No. 69 of 2014 dated 05.05.2014 instituted under Sections
341/323/504/506/34 of the Indian Penal Code and 3 (1) (x) of
the Scheduled Castes and the Scheduled Tribes (Prevention of
Atrocities) Act (hereinafter referred to as the S.C./S.T. Act).

Learned counsel for the petitioner submits that
through there is allegation of assault and also abuse relating
to caste but the allegations are false and frivolous. It is
submitted that about 3 years prior to the incident the uncle of
the informant had transferred some land in favour of the
father of co-accused Ramsagar Rai and the informant wanted
the same to be returned for which he had lodged a case in the
year 2012, in which the petitioner has been granted

anticipatory bail. Learned counsel submits that even as per the injury report the same are simple and only abrasion and bruise has been found on the left side of neck, nose and knee of the two persons alleged to have been injured. It is submitted that the petitioner being innocent is in custody since 02.09.2014. It is further submitted that the allegation under the S.C./S.T. Act is not made out since admittedly the incident took place at the house of the informant and not in a public place.

Learned A.P.P. opposes the prayer for bail.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Sikrahana, East Champaran at Motihari in Dhaka P.S. Case No. 69 of 2014. The petitioner shall cooperate in the trial and be present before the Court on each and every date. Failure to cooperate or appear on two consecutive dates, without sufficient cause, shall lead to cancellation of his bail bonds.

(Ahsanuddin Amanullah, J.)

Anand Kr.

U		T	
---	--	---	--