

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12099 of 2015

Arising Out of PS.Case No. -25 Year- 2015 Thana -ITADHI District- BUXAR

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1. Anand Pathak @ Sarpanch Pathak Son of Sri Ram Gopal Pathak Resident
of Village- Siktowna, Police station- Itarhi, District- Buxar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Prakash Sharma

For the Opposite Party/s : Mr. L.K.Sharma(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 01-05-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with

Itarhi P.S. Case No. 25 of 2015 registered for the offences

punishable under Sections 341, 325, 504, 447, 506, 354 B of the

Indian Penal Code and Section 3(i) (x) of S.C./S.T. (Prevention of

Atrocities Act).

The written report of the informant reflects that

alleged occurrence took place due to cutting of grass by the

informant, Anju Kumari and Khusboo Kumari and it is apparent

from the aforesaid fact that the alleged occurrence did not take

place because of caste of the aforesaid Anju Kumari and Khusboo

Kumari.

So far as Section 354 B of the Indian Penal Code is concerned, it is contended on behalf of the petitioner that aforesaid section is not applicable in the facts of the present case. It is further contended by him that moreover, the victims and petitioner are co-villagers and they have amicably settled their dispute outside the court.

Considering the aforesaid facts and circumstances as well as submissions of the parties, in my view, Section 18 of S.C./S.T. (Prevention of Atrocities Act) does not appear to be applicable in this case and, accordingly, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall 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 Chief Judicial Magistrate, Buxar in Itarhi P.S. Case No. 25 of 2015 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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