

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14858 of 2015

Arising Out of PS.Case No. -58 Year- 2014 Thana -HARIZAN District- BEGUSARAI

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Rajesh Yadav son of Suresh Yadav @ Ram Suresh Yadav, resident of
village- Shibu Tol, Purana Tola, P.S.- Bachhwara, Distt.- Begusarai
..... Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Manoj Kumar Singh, Advocate
For the Opposite Party Mr. Sadanand Paswan, Spl. P.P.

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CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI

ORAL ORDER

6 16-07-2015 This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioner, namely, Rajesh Yadav, in connection with SC/ST Police Station (Begusarai) Case No. 58 of 2014 under Section 341/323/448/354(B)/504 of the Indian Penal Code and Section 3(1)(r)W (i)(ii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Perused the above application and materials on record including a copy of the order, dated 07.02.2015, passed, in A.B.P. No. 1691 of 2014, by the learned Sessions Judge, Begusarai, dismissing the said application for pre-arrest bail.

Heard Mr. Manoj Kumar Singh, learned Counsel for the petitioner, and Mr. Sadanand Paswan, learned Special Public Prosecutor, appearing on behalf of the State.

In view of the fact that alleged occurrence took place in the courtyard and not at a public place, no case, under the provisions of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, can be said to have been made out.

Considering the fact that the other allegations do not warrant custodial detention and interrogation of the petitioner, this Court is of the view that the petitioner has been able to make out a case calling for appropriate direction for pre-arrest bail.

Considering, therefore, the matter in its entirety and in the interest of justice, it is hereby directed that the petitioner above-named shall, in the event of his arrest in connection with the case aforementioned, be released on bail of Rs. 10,000/-, with two sureties, each of the like amount, subject to the satisfaction of the Officer-in-Charge, SC/ST Police Station (Begusarai). This direction for bail is further subject to the condition that the petitioner above-named shall, within two weeks from today, appear before the Officer-in-Charge, SC/ST Police Station (Begusarai), and make himself available for interrogation by police at all reasonable time and shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing

such facts to the Court or to any police officer.

This application for pre-arrest bail shall stand disposed of in terms of the above observations and directions.

Let a copy of this order be sent, forthwith, to the Officer-in-Charge, SC/ST Police Station (Begusarai).

Send also a copy of this order, forthwith, to the Superintendent of Police, Begusarai, by fax.

(I. A. Ansari, J)

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