

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33378 of 2015

Arising Out of PS.Case No. -47 Year- 2015 Thana -BENIPATTI District- MADHUBANI

1. Birbal Das Son of Ramlakhan Das Resident of Village - Tyoulha, P.S.-
Benipatti, District - Madhubani

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Sadanand Paswan(Spl.App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 12-08-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341,323,504 and 506 of the Indian Penal Code and section 3(1)(x) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act.

The prosecution case is that the petitioner assaulted the informant and abused by calling the caste name.

It is submitted by the learned counsel for the petitioner that there is nothing on record to suggest that the informant sustained injury. The FIR was registered on 13.4.2015 when it reached to the court of the learned court below on 21.4.2015 which suggests that the FIR has been registered by antedating. Statement has been made in paragraph 3 of the petition that the

petitioner has no criminal antecedent.

Considering the delayed transmission of the FIR to the learned court below which clouds the bonafide of the accusation, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned JM Ist Class, Madhubani in connection with Benipatti P.S. Case No. 47 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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