

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38166 of 2014

Arising Out of PS.Case No. -27 Year- 2013 Thana -HARIJAN PS. District- NALANDA
(BIHARSHARIFF)

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Nand Lal Mistry, son of Ramchander Mistry, resident of village-Khanpura,
P.S. Giriyak, District-Nalanda at Bihar Sharif.

.... 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 RAJENDRA KUMAR
MISHRA

ORAL ORDER

2 01-04-2015 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Nalanda P.S. Case No.27 of 2013 registered under Sections 341,
342, 323, 504 and 506/34 of the Indian Penal Code besides
Sections 3(1) (X) of the S.C./S.T. Act.

The accusation is that the petitioner and one Shankar Kumar
restrained the informant, Sanjay Paswan, Surpanch of Village
Panchayat-Kutehcery Puraini, P.S. Giriyak, District-Nalanda on
31.03.2013 in the way when he was returning to his house from
Giriyak Police Station and started to abuse him denoting his
caste's name and also assaulted him through fists and slaps. The
informant, anyhow, managed to escape from there. They also

threatened the informant with dire consequences.

Learned counsel appearing on behalf of the petitioner submits that it would appear from the F.I.R. that for the occurrence alleged to have taken place on 31.03.2013, the informant gave his written report on 11.07.2013 on the basis of which the present police case was lodged, which itself shows the false implication of the petitioner. It is further submitted that the similarly situated co-accused, Shankar Kumar, has already been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 24.07.2014 passed in Criminal Misc. No.13556 of 2014.

Having considered the facts and the circumstances of the case, let the petitioner, in the event of his arrest or surrender by him within four weeks, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the C.J.M., Nalanda at Biharsharif, in connection with SC/ST Nalanda P.S. Case No.27 of 2013, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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