

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47693 of 2014

Arising Out of PS.Case No. -29 Year- 2014 Thana -PANAPUR District- SARAN

Shivnath Prasad, Son of Laldeo Prasad, Resident of village- Harkh Pakari,
Police Station- Panapur, District- Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 14-05-2015 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with Panapur Police Station Case No.29 of 2014 registered under Sections 341, 323, 379 and 504/34 of the Indian Penal Code besides Sections 3(1)(X) of the SC/ST Act.

The accusation of the informant is that the petitioner, his father, Laldeo Prasad, and one Vinay Kumar were uprooting the Tori crops from her field. When the informant made protest, they abused the informant denoting her caste's name. At that times, the petitioner got her fallen by pulling her hair on the ground and assaulted her with fists and slaps and the co-accused, Laldeo Prasad, snatched the gold chain of the informant and all the accused including the petitioner tried to

outrage her modesty. On the alarm being raised by her, her villagers, Manager Manjhi and Krishna Manjhi came and saved her from outraging her modesty by them.

Learned counsel appearing on behalf of the petitioner submits that, in fact, Laldeo Prasad, the father of the petitioner, had purchased the land from Kalawati Kuwar and Akhilesh Kumar Manjhi, who are the Pattidar of the informant. Thereafter, Shubhnath Manjhi, the husband of the informant, filed Partition Suit No.77 of 2014, which is pending for disposal in the court of 6th Sub Judge, Chapra. Only to put undue pressure upon the petitioner and his father, who is the purchaser of the land from the pattidar of the informant, this false case has been lodged by the informant, so that they could not cultivate on the purchased land.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within four weeks, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Amit Kumar, Judicial Magistrate, Chapra, in connection with Panapur P.S. Case No.29 of 2014, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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