

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49700 of 2014

Arising Out of PS.Case No. -210 Year- 2014 Thana -HARSIDHI District-
EASTCHAMPARAN(MOTIHARI)

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Ashok Thakur S/O - Sugrim Thakur Resident of village - Ujjain Lohiar ,
Kasba Tola , P.S.- Harsidhi , District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh

For the Opposite Party/s : Mr. Ambika Bhagat(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-04-2015 The petitioner is apprehending his arrest in connection with Harsidhi P.S.Case No. 210 of 2014 for the offence under Sections 341, 447, 323, 324, 379 and 504/34 of the Indian Penal Code and Section 3(1) (1) (X) of SC/ST (P.O.A) Act.

Heard learned counsel for the petitioner and the State.

It is alleged by the informant that on 10.7.2014 at about 8 P.M. when he was at his Darwaja along with his family member, in the meantime his neighbours, namely, Binda Thakur and Ashok Thakur were keeping wooden Gumti in front of his house. On protest co-accused Binda Thakur abused him denoting the word Harijan and also given threatening of dire consequences and in the meantime Ashok Thakur started assaulting him with lathi. On Hulla informant's brother Rajendra Paswan came there with a view to pacify the matter, then co -accused Bindeshwari

Thakur assaulted him with iron rod due to which he sustained injury on his nose and bleeding started. Thereafter second brother of the informant Amila Paswan came there to save them, then co accused Binda Thakur assaulted him with lathi on his hand due to which he sustained injury on his right hand. It is also alleged that accused Ashok Thakur taken out Rs. 1500/- from his pocket.

It is submitted on behalf of the petitioner that no offence under Section 379 IPC is made out. It is further submitted that no offence under SC/ST Act is made out as the same has not taken place in the public view. Further it has been submitted on behalf of the petitioner that after intervention of the well wishers, the matter has been compromised. A copy of compromise petition is annexed as Annexure 2 to the present application.

Considering the aforesaid facts, let the above named petitioner, in the event of his arrest or surrender in the court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Motihari, in Harsidhi P.S.Case No. 210 of 2014,G.R. Case No. 2841 of 2014,subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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