

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25864 of 2015

Arising Out of PS.Case No. -5 Year- 2014 Thana -SC/ST District- SAHARSA

1. Kailash Mandal, Son of Bhupi Mandal, resident of village- Kishanpur,
Surmaha Tolla, P.S- Sour Bazar, District Saharsa

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Singh

For the Opposite Party/s : Mr. Ram Shankar Das(Spl.App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-07-2015 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 147, 149, 341, 323, 354, 379, 504, 506 of the Indian Penal Code and Sections 3(i)(x)(xi) of SC/ST (POA)Act.

The prosecution story, in brief, is that the petitioner and other co-accused came armed with Khanti, Lathi, Dabia in Gali and they are fixing Khuta near his furnace and upon this his wife,namely Kaushiliya Devi protested then they assaulted her and they used filthy language and calling her cast name and they assaulted him and his wife. The petitioner took out golden ornaments amounting to Rs. 1200/- and with a view to insult his wife they pulled sari of his wife.

It has been submitted on behalf of the petitioner that the petitioner has falsely been implicated in the present case due to local politics. Nothing has been recovered from the possession of the petitioner. Further it has been submitted that no specific allegation has been made against the petitioner. It is also pointed out that the occurrence has not taken place in public view hence the provision of SC/ST is not attracted.

On behalf of the State, it has been submitted that the petitioner is named in the FIR.

Considering the aforesaid facts, let the above named petitioner, in the event of his arrest or surrender in the court below within a period of 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., Saharsa in connection with Saharsa SC/ST P.S. Case no. 5 of 2014, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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