

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.325 of 2015

Arising Out of PS.Case No. -26 Year- 2014 Thana -BIKRAM District- PATNA

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Anil Bhagat

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahesh Prasad Singh

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

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 08.01.2015 Heard learned counsel for the petitioner as well as learned
Special Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Bikram
P.S. Case no. 26/2014 registered under sections 341, 323 and 504/34
of the IPC as well as section 3 (I) (X) of the SC/ST (Prevention of
Atrocities) Act, 1989.

From perusal of the first information report itself, it is
obvious that alleged occurrence took place on account of fixation of a
pole and not because of caste of the informant.

Accordingly, in my view, section 18 of the SC/ST
(Prevention of Atrocities) Act, 1989 does not play any role in this
case.

Regard being had to the facts and circumstances as well as
submissions of the parties, this anticipatory bail petition is allowed
and it is ordered that in the event of arrest/ surrender within four
weeks from the date of receipt of this order to the concerned court, let

the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of Sri A.K. Thakur, Judicial Magistrate, Ist Class, Danapur/ concerned court in Bikram P.S. Case no. 26/2014 subject to condition as laid down under section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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