

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.33095 of 2014

Arising Out of PS.Case No. -80 Year- 2014 Thana -RAFIGANJ District- AURANGABAD

Shambhu Yadav S/o Ramashish Yadav Resident of Village - Amarpura,
P.S. - Rafiganj, Distr- Aurangabad

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Krishna Pd. Singh
Ms. Meena Sinha

For the Opposite Party/s : Mr. Anita Kri.Singh, APP

CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

2 04-02-2015

This application under Section 438 Cr.P.C. is filed by the petitioner with a prayer to grant anticipatory bail. The petitioner figured as an accused in Rafiganj PS Case No.80/2014 punishable under Sections 323, 353, 504 of the Indian Penal Code. The allegation made against him is also referable to the provisions of Section 3(1)(X) of SC/ ST Prohibition of Atrocities Act.

A.B.P. No. 565 of 2014 filed by the petitioner in the court of Sessions Judge, Aurangabad, was rejected through order dated 16.7.2014. Hence this application.

Heard Sri Krishna Prasad Singh for the petitioner and Smt. Anita Kumari Singh, learned A.P.P.

It is no doubt true that in the complaint it is alleged that the petitioner herein abused the complainant in the name of

his language and manhandled him. The petitioner alleges that his four daughters are studying in the school where the complainant is working as a teacher and as a cover-up for a complaint submitted by him that the complainant is not regular and prompt in the school, false complaint has been filed. The matter needs to be examined in the trial.

The Court is satisfied that the petitioner deserves to be granted anticipatory bail. Hence, this application is allowed.

It is, therefore, directed that in the event of arrest, the petitioner shall be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad in connection with Rafiganj PS Case No. 80/2014.

(L. Narasimha Reddy,CJ)

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