

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4193 of 2015

Arising Out of PS.Case No. -106 Year- 2014 Thana -SAKRA District- MUZAFFARPUR

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Chandan Kumar, Son of Arvind Kumar Choudhary, Resident of Village -
Chausima, P.S. - Sakera, District - Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Vibhakar Kumar and
Mr. Raju Kumar Goshwami, Advocates.

For the Opposite Party/s : Mr. (A.P.P.).

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 30-01-2015 Heard both sides.

The petitioner apprehends his arrest in Sakra P.S.
Case No. 106 of 2014, registered under Sections 147, 341, 323,
307, 504, 506, 384, 379 of the Indian Penal Code and Section
3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention
of Atrocities) Act.

The informant alleged that while he was returning
and came near flour mill, the petitioner and other accused persons
surrounded him and abused him by naming his caste in order to
humiliate him.

Learned counsel for the petitioner submits that the
petitioner is the Mukhiya and he has been falsely implicated in this
case. There is no allegation of assault against the petitioner.

It appears from perusal of the record that on the face of it, the petitioner is alleged to have humiliated the informant, who belongs to Scheduled Castes.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail in Sakara P.S. Case No. 106/14. Accordingly, the same is rejected.

The petitioner may surrender in the court below and make prayer for regular bail. If the petitioner surrenders in the court below within four weeks from today, the court below shall favourably consider the prayer for bail of the petitioner taking into consideration that there is no allegation of assault against him.

(Prabhat Kumar Jha, J)

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