

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34778 of 2015

Arising Out of PS.Case No. -139 Year- 2015 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

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1. Bachcha Singh @ Brajesh Kumar Singh @ Brajkishore Singh Son of
Late Devendra Prasad Singh, Resident of village- Jurawanpur, P.S.-
Bidupur, District- Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan

For the Opposite Party/s : Mr. Sadanand Paswan(Spl.App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-08-2015

Heard learned counsels for the petitioner
and the State.

Petitioner is apprehending his arrest in a
case registered for the offences punishable under Sections 147,
149, 323, 341, 354, 379, 504 of the Indian Penal Code and
Section 3(1)(x) of the SC & ST (Prevention of Atrocities) Act.

The prosecution case is that on 23.03.2015
at 8:30 P.M co-accused Ghutak Rai was consuming liquor and
using filthy language which was protested by the informant
then he called his brother Lal Babu and others then all the
accused persons abused the informant by calling caste name
and co-accused Ghutak Rai caused injury with the butt of the
country made pistol. When the wife of the informant came to
rescue, she was also being manhandled and informant was
threatened to sell his land.

It is submitted by learned counsel for the

petitioner that for the occurrence of 23.03.2015 the First Information Report was registered on 28.03.2015 and in the background of land dispute the accusation has been levelled. It is further submitted that petitioners' side lodged Bidupur P.S. Case No. 358 of 2014 against the informant's side at earlier point of time. Moreover the accusation is not specific against the petitioner.

A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

It is submitted by learned counsel for the informant that there is specific accusation against the petitioner and hence, petitioner does not deserve privilege of anticipatory bail.

Considering the delayed lodging of the case and the case lodged by the petitioner's side at earlier point of time, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 139 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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