

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4051 of 2016

Arising Out of PS.Case No. -66 Year- 2015 Thana -SC/ST District- SITAMARHI

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Brajesh Sahni S/o Yogi Sahni

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate

For the Opposite Party/s : Mr. Ambika Bhagat (Spl.App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-01-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 323, 504 of the Indian Penal Code and section 3(1) (x) (xii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Prosecution case is that on 27.08.2015, the informant Ranju Devi had gone to cut grass in the field. In the meantime, petitioner came, caught and took her in the sugarcane field and tried to undressed her. On alarm being raised, when the villagers came the accused persons escaped from the scene after assaulting the informant by fists and slaps.

It is submitted by learned counsel for the petitioner that for the occurrence of 27.08.2015, the FIR was registered on 23.09.2015. The offence under sections section 3(1) (x) (xii) of the

Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act is not made out since there is no accusation of abusing the informant by calling caste name. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the delayed lodging of the case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Sitamarhi in connection with Sitamarhi SC/ST P.S. Case No.66/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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