

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.360 of 2016

Arising Out of PS.Case No. -255 Year- 2015 Thana -KALYANPUR District-
EASTCHAMPARAN(MOTIHARI)

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Awadhesh Singh S/o Late Sitaram Singh of Vill. - Deopur Parsa, P.S. -
Kalyanpur, Dist. - East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar

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

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 18-04-2016

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in
connection with Kalyanpur P.S.Case No.360 of 2016 registered
for the offences under Sections 436/34 of the I.P.C. and Sections
3(i)(x), 3(2)(x) of Scheduled Castes and Scheduled Tribes
Prevention of Atrocities Act.

Learned counsel for the petitioner submits that the
offence under the provisions of S.C. & S.T. Prevention of
Atrocities Act is not made out as the informant does not belong to
the Scheduled Caste. Moreover, there is no independent witness
and neither such occurrence has taken place in a public view.

Considering the nature of allegation against the

petitioner and also that the petitioner has no criminal antecedent save and except another case lodged by the brother of the informant under similar provisions and that the allegations are vague and indistinct, let the petitioner, above named, in the event of his arrest or surrender before the court below within four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the A.C.J.M., IXth,Motihari, East Champaran, in Kalyanpur P.S.Case No.255 of 2015 corresponding to G.R.No.4750 of 2015 subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Anjana Mishra, J.)

AnilKrSinha/-

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