

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5297 of 2016

Arising Out of PS.Case No. -129 Year- 2015 Thana -CHANAN District- BANKA

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Chandan Pandey @ Chandan Kumar Pandey S/o Ratnesh Kumar Pandey,
resident of village- Baijani, P.S.- Jagdishpur, District- Bhagalpur, at present
Village- Manikpur, P.S. Chandan, District- Banka

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand, Advocate

For the Opposite Party/s : Mr. Sanjay Kr. Singh(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 26-02-2016 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner apprehends his arrest in connection with
Chandan P.S. Case No.129 of 2015 registered for offences
punishable under Sections 341, 323 and 504/34 of the Indian Penal
Code and Section 3(i)(x) of the S.C./S.T. Act.

The prosecution case as stated by the informant
Chameli Devi in her written statement is that on 30.11.2015 at 8
A.M. she was cutting paddy crops in her own field at that time
accused person came there and he carried her paddy in his tractor.
When she told the petitioner that the paddy crops is hers, then the
accused started abusing her by caste name and also beaten her
husband.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated due to previous enmity and has no criminal history as is evident from paragraph-3 of this petition. No ingredients of S.C./S.T. Act is attracted and no occurrence of such type has ever occurred as the petitioner is a meter reader on contractual basis and goes from door to door for meter reading.

Learned A.P.P., however, submits that the petitioner is named in the F.I.R. and opposes the prayer for bail.

Be that as it may, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of Smt. Saroj Kriti, Judicial Magistrate 1st Class, Banka in connection Chandan P.S. Case No.129 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Nilu Agrawal, J)

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