

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6399 of 2016

Arising Out of PS.Case No. -492 Year- 2015 Thana -DIHRINAGAR District- SASARAM
(ROHTAS)

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1. Prabhu Sah Son of Shree Jainath Sah Resident of Village - Dilian, P.S.
Indrapuri, District - Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brajesh Tiwary

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

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 29-02-2016 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Dehri (Indrapuri) P.S.Case No. 492 of 2015 registered for offences
punishable under Sections 420, 406, 341, 323, 504 of the Indian
Penal Code and 3 (X) of the S.C./S.T. Act.

The prosecution case is on the basis of fardbeyan of
one Raju Kumar Paswan recorded before the Officer-in-charge,
Indrapuri P.S. stating therein that he had given Rs. 10,000/- (Ten
thousand) to Prabhu Sah for mutation of his two katha residential
land 8 months ago. On 20.10.2015 at 7.45 P.M. at betel shop the
informant demanded his money as mutation had not been done.
On demand Prabhu Sah abused him, naming his caste and
assaulted him with Khunti sustaining injury, due to which he was

treated in government hospital.

It has been submitted by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in the aforesaid case and he has no criminal history. It has also been submitted that no case under Section 3 (x) of the SC/ST Act is made out and the present case is a counter version of the earlier case regarding the same occurrence bearing Dehri (Indrapuri) P.S.Case No. 491 of 2015, wherein the petitioner sustained injury from the informant's side.

However, learned Special P.P. for the State submits that the petitioner has been named in the F.I.R. and opposes the prayer for bail.

Be that as it may, let the above named petitioner 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) with two sureties of like amount each to the satisfaction of learned S.D.J.M., Dehri, Rohtas in connection with Dehri (Indrapuri) P.S.Case No. 492/2015, subject to the conditions as laid down under Section 438(2) of the Cr. P. C.

(Nilu Agrawal, J)

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