

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7548 of 2016

Arising Out of PS.Case No. -182 Year- 2015 Thana -HALSI District- LAKHISARAI

1. Chunchun Singh Son of Late Indradeo Singh Resident of village -
Matasi, P.S. Halsi, District - Lakhisarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

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

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER**

2 17-03-2016 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Halsi Police Station Case No. 182 of 2015,
disclosing offences under Sections 341, 323, 504, 506, 379,
406, 409 and 420 of the Indian Penal Code and Section 3
(x) of the Schedule Castes and Schedule Tribes (Prevention
of Atrocities) Act.

The only allegation against the petitioner is that
he abused the informant and took his caste name and also
assaulted him.

The petitioner is the husband of the Secretary of
Vidyalaya Shiksha Samiti of Middle School, Matasi, in the

district of Lakhisarai.

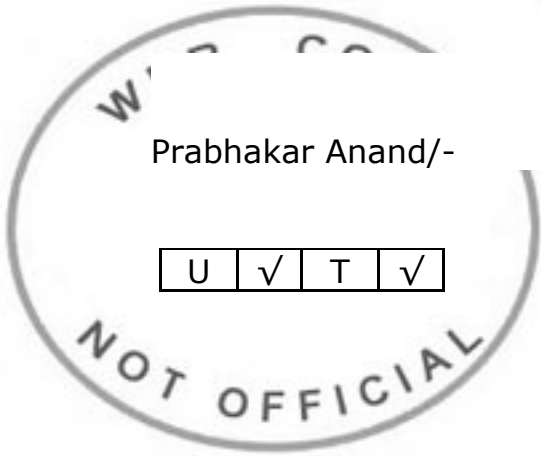
Learned Counsel for the petitioner submits that no offence under Section 3 (x) of the Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act is made out on the basis of the allegation as contained in the First Information Report in the absence of any assertion that the occurrence took place within public view.

Upon perusal of the First Information Report, I find substance in the submission advanced on behalf of the petitioner. This application is accordingly allowed.

Let the petitioner, Chunchun Singh, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Rajendra Das, Judicial Magistrate, 1st Class, Lakhisarai, in connection with Halsi Police Station Case No. 182 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be

cancelled.



(Chakradhari Sharan Singh, J.)