

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7926 of 2016

Arising Out of PS.Case No. -453 Year- 2015 Thana -BIRAUL District-
DARBHANGA

=====

1. Damodar Yadav, Son of Late Ram Swarup Yadav,
resident of village - Itwa Shiv Nagar, P.S. - Biraul, District -
Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Adv.

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

=====

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

ORAL ORDER

2 06-04-2016 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Biraul P.S. Case No.453 of 2015, disclosing
offences under Sections 323, 341, 504 and 506 of the
Indian Penal Code and Section 3(1) (x) of the Scheduled
Castes & Scheduled Tribes (Prevention of Atrocities) Act.

I find substance in the submission made on
behalf of the petitioner that the occurrence took place

because of an altercation, which had taken place between the petitioner and the informant. Allegedly, the petitioner called the informant by his caste name and used abusive language within the public view.

It is submitted by learned counsel for the petitioner that for an occurrence, which allegedly took place on 17.10.2015, the First Information Report has been lodged on 28.10.2015, without any plausible explanation for delay.

Considering the fact that provisions of Section 3(1) (x) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, has been levelled in the First Information Report and it cannot be said that offence under the said section is not made out, this application is disposed of with a direction to the petitioner, abovenamed, to surrender before the court below within a period of four weeks from today and seek regular bail, if so advised. If he does so, his application for regular bail shall be disposed of on the same day by the learned court below.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

U		T	
---	--	---	--