

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8830 of 2016

Arising Out of PS.Case No. -201 Year- 2015 Thana -BACHWARA District- BEGUSARAI

1. Rajesh Mahton Son of Prabhu Mahto, Resident of Village - Fateha,
Police Station - Bachhwara, District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Advocate
For the Opposite Party/s : Mr. Ram Chandra Singh(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-02-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 504/34 of the Indian Penal Code and 3(1) (x) of the S.C./S.T.(Prevention of Atrocities) Act.

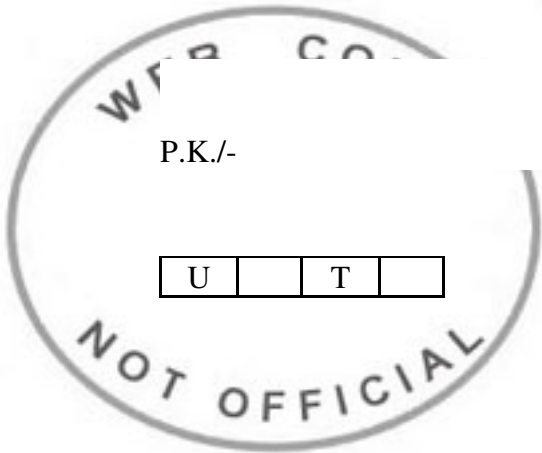
The prosecution case is that on 09.11.2015 at 7.00 P.M. all the accused persons were sitting at the well and they were abusing the wife of the informant namely Rekha Devi. On protest being made, the informant was also abused by them. It is alleged that accused persons also scuffled with the informant. On alarm being raised,

grand-mother of the informant namely Jathi Devi came to rescue, but she was assaulted by the accused persons with lathi.

It is submitted by the learned counsel for the petitioner that earlier point of the Neha Kumari sister of the ,petitioner lodged Bachhawara P.S. Case No. 190 of 2015 against the cousin of the informant namely Hemant Kumar, hence, the present case has been lodged as a retaliatory measure. It is further submitted that some of the accused persons belongs to the Scheduled Caste category, hence no offence under Sections 3(1) (x) of the S.C./S.T.(Prevention of Atrocities) Act is made out. Statement has been made in para-3 of the petition that petitioner has no criminal antecedent. Even assuming the accusation no offence under Section 3(1) (x) of the S.C./S.T.(Prevention of Atrocities) Act is made out against the petitioner.

Considering the nature of accusation and the case lodged by the petitioner's side at earlier point of time, let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sri Pankaj Pandey, J.M., Ist Class, Begusarai in connection with Bachhawara P.S. Case No. 201 of 2015, subject to conditions as laid down under

Section 438(2) of the Code of Criminal Procedure.



(Dinesh Kumar Singh, J)