

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11988 of 2016

Arising Out of PS.Case No. -33 Year- 2015 Thana -SHAHPUR District- BHOJPUR

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Shyam Sundar Tiwari Son of Jaynath Tiwari Resident of Village-Bariswan,
Police Station -Shahpur , District Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rahul Nath, Adv.

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 18-03-2016 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 147, 148, 149, 341, 323, 386 and 379 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(i)(x) of the S.C./S.T. Act registered in connection with Shahpur P.S. Case No. 33 of 2015.

3. It is submitted that the petitioner has been falsely implicated as even according to the averment in the F.I.R., the alleged occurrence transpired at the resident of the informant and not within public view and hence the accusation under S.C/S.T Act are not attracted. There is case and counter case between the parties. The other offences alleged are ornamental in nature.

4. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Sri Raghbir Prasad, learned Judicial Magistrate, Ist Class, Bhojpur at Ara, in connection with Shahpur P.S. Case No. 33 of 2015, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Vikash Jain, J)

Md. Ibrarul/-

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