

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.12475 of 2016**

Arising Out of PS.Case No. -74 Year- 2015 Thana -CHANPATIA District-  
WESTCHAMPARAN(BETTIAH)

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Akhilesh Ram @ Aklesh Ram @ Aklesh Kumar

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Abhay Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ramshankar Das(Spl.App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2 16-03-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307 and 302 of the Indian Penal Code and Section 3 (II) (V) of the SC/ST (Prevention of Atrocities) Act.

The prosecution case as per the fardbeyan of Bigani Devi is that the accused persons including the petitioner were throwing manure on the land of the informant and when she made protest, the accused persons variously armed with deadly weapon assaulted the informant and her son. The son of the informant received several injuries who was taken to MJK hospital subsequently during course of treatment, the son of the informant died.

It is submitted by learned counsel for the petitioner that the petitioner also belongs to scheduled caste category hence

offence under SC/ST Act is not applicable against the petitioner. The accusation is omnibus and general. The present case is counter blast to Sirisiya O.P. P.S. Case No. 73 of 2015 wherein it is alleged that Bhola Ram caused firearm injury to Fulmati Devi which resulted in her death when the villagers assaulted to Bhola Ram who also died. It is further submitted that considering the nature of accusation and the case lodged at earlier point of time, similarly situated accused persons have been granted anticipatory bail by a co-ordinate Bench of this Court vide Cr. Misc. No. 32098 of 2015. A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., West Champaran, Bettiah in connection with Chanpatia (Sirisia) O.P. P.S. Case No. 74 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

**(Dinesh Kumar Singh, J)**

Amrendra/-

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