

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19752 of 2016

Arising Out of PS.Case No. -32 Year- 2015 Thana -HARIJAN PS. District- NALANDA
(BIHARSHARIFF)

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1. Bipin Mahto Son of Sahdev Mahto resident of village - Singthu, P.S.
Manpur, District - Nalanda

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 04-05-2016 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506, 307/34 of the Indian Penal Code and under Sections 3 (1) (x) of SC/ST Act.

The prosecution case is that on 04.08.2015 co-accused Satendra Mahto @ Sikander Kumar surrounded the informant in front of the house of Bindeshwar Yadav and abused him by calling his caste name and also threatened him for getting his brother arrested by the police. In the meanwhile, the petitioner and other accused persons came and they also abused the informant by calling his caste name and when the informant started fleeing

away, co-accused Satendra Mahto resorted to firing but the firing did not cause any injury to the informant. It is further alleged that after hearing the sound of firing when the police personnel arrived, the accused persons flee away and during the course of fleeing co-accused Satendra Mahto assaulted one Dhuri Yadav by butt of pistol causing injury on his right eye.

It is submitted by the learned counsel for the petitioner that for a petty dispute the accusation has been levelled and from the FIR itself it appears that no injury has been caused to the informant. Statement has been in paragraph 3 of the petition that the petitioner has no criminal antecedent.

The aforesaid facts constitute grounds for consideration of the prayer for regular bail of the petitioner by the learned court below in case the petitioners surrender within six weeks from today in connection with SC/ST P.S. case No. 32 of 2015 pending in the court of learned ACJM, Nalanda at Biharsharif.

This application is disposed of with the aforesaid observation/direction.

(Dinesh Kumar Singh, J)

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