

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28257 of 2016

Arising Out of PS.Case No. -29 Year- 2014 Thana -SC/ST District- AURANGABAD

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Raju Tiwary @ Raju Tiwari, son of Ragho Tiwari, resident of Mohalla-
Patel Nagar, Ward No. 23, P.S.-Daudnagar, District-Aurangabad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s : Mr. Sri Rajendra Nath Jha

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-07-2016

Petitioner is apprehending his arrest in a case

registered for the offences punishable under Sections 341, 323,
504, 379, 427, 34 of the Indian Penal Code and Section 3(1)(X)
of the SC & ST (Prevention of Atrocities) Act.

The prosecution case is that the informant
claims to have purchased 5 decimals of land appertaining to
Khata No. 196, Plot No. 561 and in peaceful possession over
the land and rent receipt is also issued in his favour, but the
accused persons were pressurizing the informant to sell the
land and lodged false case. It is further alleged that on
01.07.2014 at 7:00 A.M the informant came to know that the
accused persons unloaded the construction materials on the
land of the informant and when the informant made enquiry
the accused persons abused the informant by calling caste
name, tore the paper and took away Rs. 800/- from the pocket
of the informant.

It is submitted by learned counsel for the petitioner that on conclusion of the investigation the petitioner was not sent up for trial but differing with the final form, cognizance has been taken. The proceeding under Section 145 Cr.P.C was decided in favour of the petitioner and thereafter the accusation has been levelled.

A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the accusation being levelled in the background of a proceeding initiated under Section 145 Cr.P.C and the petitioner being not sent up for trial, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad in connection with Aurangabad SC/ST P.S. Case No. 29 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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