

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27842 of 2016

Arising Out of PS.Case No. -34 Year- 2016 Thana -BARAHIYA District- LAKHISARAI

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Haresh Kumar @ Harish Kumar Singh, S/o Bajrangi Singh, R/o Barhiya,
Ward No. 13, P.S.- Barhiya, Dist- Lakhisarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Avanish Kumar Singh, Advocate

For the Opposite Party : Mr. Ambika Bhagat (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 27-09-2016 Heard learned counsel for the petitioner and learned

counsel appearing on behalf of the State.

Petitioner is apprehending his arrest in connection
with Barhiya P.S. Case No. 34 of 2016 registered for the offences
punishable under Sections 353, 504, 506/34 of the Indian Penal
Code and Section 3(1)(x) of the SC/ST (Prevention of Atrocities)
Act, 1989.

Learned counsel for the petitioner submits that
altogether false allegation has been made against the petitioner and
no case is made out against him under the relevant sections of the
IPC. However, so far as the allegations under Section 3(1)(x) of
the SC/ST Act are concerned, learned counsel for the petitioner
submits that the same have been added to make the charge graver.
It is submitted that even assuming the statement, no case can be

made out against aforementioned sections as the occurrence took place away from public view and inside a room which is not a public place.

Having considering the facts and circumstances of the case and the nature of allegation and that since the petitioner is a public figure (Ward Commissioner) against whom certain cases have been lodged under the bailable sections, let the petitioner above named, in the event of his arrest or surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Barhiya P.S. Case No. 34 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjana Mishra, J.)

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