

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1229 of 2016

Arising Out of PS.Case No. -44 Year- 2014 Thana -ST/SC (HARIJAN) District- BHABHUA
(KAIMUR)

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Mewa Lal Singh, S/o Baijnath Singh, Resident of Village- Kakari kundi,
P.S Chainpur, Dist Kaimur (Bhabhua) at Present Resident of Vill- Mahajan
Toli, 1 Ara , P.S. Ara Nagar, Dist Bhojpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rajani Ranjan Pd. Singh,
Mr. Ajay Kumar Singh, Advocates

For the State : None

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

3 03-02-2016 Heard learned counsel for the petitioner.

No one appears on behalf of the State though the
name of Mr. Sadanand Paswan, Spl. P.P. appears in the list.

On the last occasion, when this matter was taken
up on 22.01.2016, none was present on behalf of the State and
the case was adjourned on that date.

In above view of the matter, this case is being
heard in the absence of the counsel for the State.

The petitioner apprehends his arrest in a case
filed under Sections 341, 323, 504, 506 of the Indian Penal
Code and Section 3(1)(5) of the S.C./S./T. Act.



It is contended on behalf of the petitioner that the F.I.R. in which he has been made accused, is in retaliation to the petitioner's complaint filed before the Collector, Kaimur at Bhabhua in the year 2011 against the informant who happens to be a teacher in Kakari Kundi Primary School regarding irregularities committed in building construction, mid-day meal and other matters which has eventually culminated in lodging Chainpur P.S. Case No.139/15 under Sections 420 and 409/34 of the Indian Penal Code as he was continuously pursuing it. It is contended that present F.I.R. has been lodged in retaliation after the aforesaid action taken by the petitioner and the provisions of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act have been included for making the look of the offence grave only for the purpose of harassing the petitioner.

Having regards to the facts and circumstances of the case, in the event of arrest/surrender within a period of six weeks from today in S.C./S.T. P.S. Case No.44/14, the above named petitioner, Mewa Lal Singh shall be released on bail on furnishing bail bond of Rs.10,000(Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of Sri Abinash Kumar, Judicial Magistrate, 1st Class, Kaimur at

Bhabhua subject to the conditions as laid down under sub-section(2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

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