

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25059 of 2016

Arising Out of PS.Case No. -20 Year- 2016 Thana -MAHESI District-
EASTCHAMPARAN(MOTIHARI)

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1. Dilip Singh Son of Bindeshwari Singh Resident of village-
Chakdagrahan, Police Station- Mehsi (Jai Bajrang Chowk O.P.),
District- East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhurendra 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 20-06-2016

Petitioner is apprehending his arrest in a case

registered for the offences punishable under Sections 323, 341,
504, 506, 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 daughter of
the informant went to pluck spinach on 08.02.2016 at 5:00
P.M when co-accused Manoj Singh, Krishna Singh and the
petitioner started abusing the daughter of the informant, they
assaulted her after pushing her on the ground. When the
informant went to make complaint then she was abused by
calling caste name.

It is submitted by learned counsel for the
petitioner that injury report of the daughter of the informant
suggests pain in left arm and back but no external injury was
found though it was specifically alleged that three persons

assaulted the daughter of the informant. For the occurrence of 06.02.2016 at 5:00 P.M the F.I.R was registered on 07.02.2016 at 9:30 A.M. It is further submitted that Mehsi P.S. Case No. 19 of 2016 was filed by the father of the petitioner Bindeshwari Singh against the informant at earlier point of time levelling accusation under Sections 323, 341, 447, 427, 336/34 of the Indian Penal Code.

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

Considering the delayed lodging of the case, the case lodged by the petitioner's side at earlier point of time and the accusation not being corroborated with the medical opinion, 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 Chief Judicial Magistrate, East Champaran at Motihari in connection with Mehsi(Jai Bajrang Chowk) P.S. Case No. 20 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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