

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7617 of 2016

Arising Out of PS.Case No. -55 Year- 2014 Thana -SC/ST District- ARRARIA

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Dinesh Yadav @ Dinesh Pd. Yadav Son of Late Bidi Yadav, Resident of
Village - Bishanpur, P.S. - Raniganj, District - Araria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha

For the Opposite Party/s : Mr. Sadanand Paswan (Spl. Pp)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 18-03-2016 Heard learned counsel, appearing on behalf of the

petitioner, and the learned Addl. Public Prosecutor, appearing on

behalf of the State.

 This application for grant of anticipatory bail arises out of

Araria SC/ST P.S. Case No. 55/2014, disclosing offences under

sections 147, 148, 341, 379, 427/34 of the Indian penal Code and

sections 3(i), 3(ii)(x) of the SC/ST Act.

 Learned counsel for the petitioner submits that no offence

under section 3(i)(x) of the Scheduled Caste and Scheduled Tribe

(Prevention of Atrocities) Act is made out, inasmuch as there is no

allegation that the occurrence took place within the public view.

He further submits that the occurrence is said to have taken place

on 30.9.2014 for which the First Information Report was instituted

on 13.10.2014. According to him, there is no explanation for such

delay in lodging the F.I.R., which creates serious doubt over correctness of the allegation.

Considering the submissions, as above, this application is allowed.

Let the petitioner, abovenamed, in the event of his arrest/ surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria in Araria SC/ST P.S.Case No. 55/2014, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

This is subject to the condition that the petitioner shall present himself before the police/ court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Surendra/-

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