

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10464 of 2016

Arising Out of PS.Case No. -45 Year- 2015 Thana -ARA HARIJAN District- BHOJPUR

1. Dipak Kumar @ Dipak Singh S/o Hiralal Singh, resident of Village-
Pilapur, P.S.- Jagdishpur, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Munna Prasad Singh, Advocate

For the Opposite Party/s : Mr. Ambika Bhagat(Spl.Pp)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-03-2016

Heard learned counsel for the petitioner and the
State.

The petitioner is apprehending his arrest in a
case registered for the offences punishable under Sections
341, 323, 379, 504/34 of the Indian Penal Code and 3(1)
(x) of the S.C./S.T.(Prevention of Atrocities) Act.

The prosecution case is that the informant used
to sale toddy to earn his livelihood. On 22.06.2015 at 6.00
P.M. Akhilesh Singh and Laddu Singh came and took the
toddy. On protest being made, they assaulted the
informant. In the meantime, the other shopkeepers
assembled there to save the informant, thereafter the
informant went home. After sometime co-accused Bhim
Yadav, Manoj Singh, Dadan Singh and the petitioner came
at the door of informant and abused him.



It is submitted by the learned counsel for the petitioner that the thrust of accusation is against Akhilesh Singh and Laddu Singh. Admittedly, occurrence took place in the house of the informant which cannot be a place of public view. Accusation against the petitioner is omnibus and general. For the occurrence of 22.06.2015 at 6.00 P.M. the First Information Report was registered on 23.06.2015 at 7.30 A.M. Statement has been made in para-3 of the petition that petitioner has no criminal antecedent. Moreover, Akhilesh Singh, Laddu Singh and others have been granted anticipatory bail by a Coordinate Bench of this Court vide Cr. Misc. No. 39449 of 2015.

Considering the aforesaid facts, let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bhojpur, Ara in connection with SC/ST P.S. Case No. 45 of 2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

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