

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10716 of 2016

Arising Out of PS.Case No. -57 Year- 2015 Thana -SC/ST District- SITAMARHI

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1. Md. Reyaj Son of Khursaid, Resident of Village - Bhairav Kothi, Lichi Bagan, Ward No. 1, P.S. - Sitamarhi, District - Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-03-2016

Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 504, 379, 34 of the Indian Penal Code and Section 3(1)(x) of the SC & ST (Prevention of Atrocities) Act.

The prosecution case is that on 28.08.2015 at 7:00 P.M the informant went at the door of Samsul to hire labors for house construction when accused persons addressed the informant as thief and assaulted with fists and slaps. It is also alleged that accused persons took away his bicycle and cash of Rs. 45,00/-.

It is submitted by learned counsel for the petitioner that for the occurrence of 28.08.2015 the First Information Report was registered on 01.09.2015. Though the initial date of occurrence dated 27.08.2015 has been interpolated as 28.08.2015. It is further submitted that since

the occurrence took place at the door of Samsul, hence it can not be treated to be a place in public view. The accusation is omnibus and general.

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

Considering the delayed lodging of the case and the nature of accusation, 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 Additional Chief Judicial Magistrate, Sitamarhi in connection with SC/ST Sitamarhi P.S. Case No. 57 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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