

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10101 of 2016

Arising Out of PS.Case No. -36 Year- 2015 Thana -SC/ST District- BHAGALPUR

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Shankar Yadav son of Biti Yadav, resident of village/Mohalla- Jamagoan,
P.S.- Jagdishpur, District- Bhagalpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh

For the Opposite Party/s : Mr. Ram Shankar Das(App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 10-03-2016 Heard learned counsel for the petitioner and counsel
for the State.

In this case, the petitioner is apprehending his arrest in connection with SC/ST P.S. Case No. 36 of 2015 for offence under Sections 341/323/504/506/379/34 of the Indian Penal Code and Sections 3(1)(x) of SC / ST Act.

As per prosecution, on 30.12.2015 the co-accused Mantu Yadav went to the house of the Informant, called him and brought in the field of one Kedar Yadav and demanded Rs. 400/- for liquor. When the Informant refused to oblige then the co-accused Pappu Yadav and petitioner abused him in the name of caste and they snatched away Rs. 5000/- and mobile of Carbon company from the Informant and started assaulting by Lathi.

Learned counsel for the petitioner submits that as per allegation, there is only minor injury on the person of the Informant and so much so that an application has been filed by the Informant where he has stated that the petitioner was not there and in place of Shankar Mahto, he has wrongly named Shankar Yadav.

Looking to the nature of allegation, this Court is not inclined to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner, namely, Shankar Yadav is rejected.

However, if the petitioner surrenders before the court below within a period of three weeks from today, the court below will consider the case of the petitioner and will pass necessary order on the same day without being prejudiced by this order.

(Shivaji Pandey, J)

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