

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10952 of 2016

Arising Out of PS.Case No. -19 Year- 2015 Thana -HARIZAN District- MUNGER

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Rajiv Kumar Son of Bhuskari Mandal, Resident of Village- Vijay Nagar,
P.S.- Bariarpur, District- Munger.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-04-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 341, 323, 353, 447, 427, 379 and 504 of the Indian Penal Code and Section 3 (i) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the petitioner is that although he was not the main accused but he was also one of the accused who had indulged in assaulting the Headmaster and one teacher, calling the Headmaster by his caste name and taking away Rs. 10,000/- from the drawer.

It is submitted on behalf of the petitioner that he has got no criminal antecedent. The petitioner has falsely been implicated in the present case. The date of occurrence is 3.7.2015 and the case has been instituted on 10.7.2015. No explanation has been made in respect to the delay in institution of the F.I.R. by the prosecution. As far offence under Section SC and ST Act, same is not attracted in the present case. The other co-accused have been granted anticipatory bail vide Cr. Misc. Nos. 7607 of 2016, 7647 of 2016 and 56805 of 2015.

On behalf of the State, it is submitted that petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Munger, in connection with S.C., S.T. P.S. Case no. 19 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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