

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13655 of 2016

Arising Out of PS.Case No. -32 Year- 2015 Thana -HARIZAN District- MUNGER

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Manoj Yadav son of Bishun Yadav, resident of village- Chiraiyabad, P.S.-
Bariarpur, District- Munger

.... Petitioner/s

Versus

1. The State of Bihar
2. Putul Devi wife of Jyoti Paswan, resident of village- Chiraiyabad, P.S.-
Bariarpur, District- Munger

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nand Singh, Advocate

For the State : Mr. Ram Shankar Das, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH
ORAL ORDER

2 31-03-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
S.C/S.T. P.S. Case No. 32 of 2015 registered under Sections 376
and 511 of the Indian Penal Code and section 3(xii) of the
Scheduled Castes and Scheduled Tribes (Prevention of Atrocities)
Act, 1989 (for short SC/ST Act).

It is contended that though the occurrence as alleged in
the FIR took place on 5th September, 2015, but the informant has
filed Complaint Case No.918C of 2015 after eleven days of the
alleged occurrence i.e., on 16th September, 2015 and the FIR has

been lodged after two months and eleven days of the alleged occurrence. It is further contended that on perusal of the FIR as well as statement of the victim recorded under section 164 of the Code of Criminal Procedure it would appear that no case under section 3(xii) of the SC/ST Act is made out.

Learned counsel for the State has opposed the application for grant of pre-arrest bail to the petitioner.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within four weeks from today, the petitioner, namely, Manoj Yadav, is directed to 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 learned A.C.J.M., Munger in connection with SC/ST P.S. Case No. 32 of 2015 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

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