

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16025 of 2016

Arising Out of PS.Case No. -264 Year- 2013 Thana -KUSHESHWARSTHAN District-
DARBHANGA

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Ganesh Rai Son of Deo Narayan Rai Resident of Village - Ujua, P.S. -
Kusheshwar Asthan, District - Darbhanga

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Yadav, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 01-07-2016 Heard both sides.

The petitioner apprehends his arrest in Kusheshwar Asthan P.S. Case No. 264/2013 arising out of trial no. 2037/2016, registered for the offence punishable under Sections 341, 342, 447, 323, 504 of the Indian Penal Code and Section 3(1)(x) of S.C./S.T. Act.

The informant alleged that the petitioner abused him by naming his caste and asked him to connect generator light. It is further alleged that on 20.07.2013 the father of the informant had gone to the house of petitioner for arrear of wages, but the petitioner also abused and assaulted him.

It is submitted that the first occurrence took place on 19.07.2013 and the second occurrence took place on 20.07.2013, but

the case was lodged on 21.07.2013. From perusal of the F.I.R. itself it appears that there was dispute for connection of generator light and that is why some altercation took place. No offence of Section 3(1)(x) of the S.C./S.T. is made out as the occurrence took place at private place and no public was present

Mr. Ambika Bhagat, Special Public Prosecutor however vehemently opposed the prayer for anticipatory bail.

Considering the facts aforesaid and the fact that some dispute arose due to connection of generator light and there was no persons present and the occurrence took place in private place, the petitioner, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-divisional Judicial Magistrate, Biraul, Darbhanga in connection with Kusheshwar Asthan P.S. Case No. 264/2013 arising out of Trial no. 2037/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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