

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24363 of 2016

Arising Out of PS.Case No. -65 Year- 2015 Thana -SC/ST District- JAMUI

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Shambhu Yadav, son of Borhan Yadav

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 31-05-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 323, 341, 452, 354A, 504, 506/34 of the Indian Penal Code and section 3(1) (x) (xi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Prosecution case is that on 01.12.2014 at about 9 AM, the accused persons entered in the house of the informant and asked them to withdraw Title Suit No.248/2014. On refusal to withdraw the same, the accused persons assaulted the informant with fists and slaps and abused by calling caste name. It is alleged that the petitioner Shankar Yadav torn the blouse of the informant when co-accused, Pappu Yadav, took away Rs.7000/- from the bag of the informant.

It is submitted by learned counsel for the petitioner that the accusation has been levelled in the background of pending title suit between the parties and the accusation of assault and abusing by calling caste name is not specific against this petitioner. Admittedly, the occurrence took place inside the house, hence, it cannot be treated as a place of public view. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st ACJM, Jamui, in connection with Jamui SC/ST P.S. Case No.65/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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