

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32589 of 2016

Arising Out of PS.Case No. -22 Year- 2016 Thana -EKMA District- SARAN

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Dadan Jee Srivastava @ Guddu Srivastava, Son of Late Girdhari Srivastava,
Resident of Village- Dakchin Tola, P.S.- Manjhi, District- Saran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Mukesh Kumar Singh, Advocate
Mr. Ashok Kumar Jha, Advocate

For the Opposite Party : Mr. Ajay Kumar -2 (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 19-10-2016

Heard learned counsel for the petitioner and learned
counsel for the complainant as well as learned counsel appearing
on behalf of the State.

The petitioner being the deed writer is apprehending
his arrest in connection with Ekma P.S. Case No. 22 of 2016
registered for the offences punishable under Sections 120B, 420,
426, 467, 468, 471, 384 and 504/34 of the Indian Penal Code and
Section 3(i)(X) of the SC/ST Act.

Learned counsel for the petitioner submits that
evidently the allegation under sections 3(i)(X) of the SC/ST Act is
applicable only against accused persons, namely, Majur Alam
Khan @ Bholi Khan and Aman Raja Khan and not against the
present petitioner and, therefore, the said provision could not be
attracted in the case of the present petitioner. It is further
submitted that so far as the petitioner is concerned, he being

merely the deed writer was not at all responsible for any fraud perpetuated on the complainant and the main allegation is against accused persons, namely, Majur Alam Khan @ Bholi Khan and Aman Raja Khan.

Learned counsel for the complainant opposing the application stated that in view of the present facts and circumstances the present application for anticipatory bail is not maintainable being against the provisions of the SC/ST Act and it is thus fit to be dismissed.

Having heard learned counsel for the parties and also learned counsel for the State and taking into consideration of the facts, it appears that no prima-facie case is made out against the petitioner, let the petitioner above named, 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, 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 learned Chief Judicial Magistrate, Saran, Chapra in connection with Ekma P.S. Case No. 22 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjana Mishra, J.)

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