

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57603 of 2015

Arising Out of PS.Case No. -480 Year- 2014 Thana -MADHUBANI TOWN District-
MADHUBANI

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Baiju Rai @ Baiju Kumar Rai Son of Late Vinu Rai, Resident of Surat
Ganj, Kali Mandir, Ward No.8, P.S.- Madhubani, District- Madhubani

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ravindra Kumar Singh

For the State : Mr. Ram Shankar Das, Special PP

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

4 29-01-2016 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered for the offences punishable under sections 341, 323, 324 and 504/34 of the Indian Penal Code and section 3(1)(x) of the Scheduled Castes and Scheduled Tribes(Prevention of Atrocities) Act.

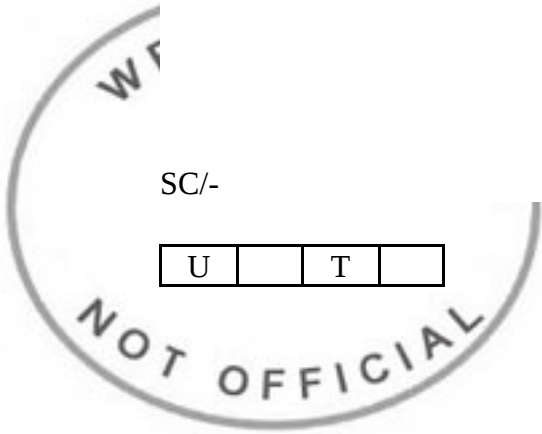
Allegation against the petitioner made in the First Information Report is that he had abused the informant by taking the name of particular caste and also tried to pull him by tying rope on his neck. Thereafter, certain persons of other shops, viz. Manju Devi, Sanju Devi, Vinu Sah and others, came armed with lathis and assaulted the informant and after raising alarm the people of the locality came and saved the informant.



It is contended on behalf of the petitioner that prior to that, with respect to the occurrence of 20.12.2014 at about 9.00 P.M. in the night, the sister of the petitioner, namely, Manju Devi, had also lodged a First Information Report being Madhubani Town Police Station Case No. 479 2014 and, thereafter, this case has been lodged by the informant as a counter blast of the aforesaid case. It is further contended that it is nowhere stated in the First Information Report that certain persons were present at the time of occurrence and the occurrence took place in public view as the First Information Report does not disclose presence of anybody at the relevant time when allegedly the petitioner had abused by taking the name of the caste of the informant. It is also contended that the petitioner is having clean antecedent.

Having regard to the facts and circumstances of the case, let the abovenamed petitioner, namely, Baiju Rai @ Baiju Kumar Rai, be released on bail in the event of arrest/surrender before the court below within a period of six weeks from today in Madhubani Town Police Station Case No. 480 2014 on furnishing bail bonds of Rs.10,000/- (Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Madhubani, subject to the

conditions laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure.



(Dr. Ravi Ranjan, J)