

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.741 of 2016

Arising Out of PS.Case No. -19 Year- 2014 Thana -SC/ST P.S. District- MUZAFFARPUR

Rajeev Singh @ Rajeev Kumar Singh son of Ram Naresh Singh, resident of village- Maheshwara, P.S.- Gaighat, District- Muzaffarpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mrs. Bela Singh, Advocate

For the Opposite Party/s : Mr. Ram Shankar Das, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 12-01-2016

Heard learned counsel for the petitioner and learned

Special Public Prosecutor for the State.

The petitioner seeks pre-arrest bail in connection with Muzaffarpur SC & ST P.S. Case No. 19 of 2014 registered under Sections 341, 323, 504, 506, 354, 427, 380/34 of the Indian Penal Code and Section 3(1)(x)(xi) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act.

It has been contended that there is general and omnibus allegation against all the accused. The specific allegation of humiliation, intimidation and insult is upon co-accused Shambhu Singh and Gabbar Singh. In that view of the matter, ingredients of the offence punishable under the provisions of Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act would not be attracted against the petitioner. It

is further contended that the petitioner is a teacher in a government middle school and the actual fact is that the informant and her husband intend to capture the ancestral land of the accused persons named in the FIR, as house of the informant situated adjacent to their land and they have tried to erect the hutment in the land.

On the other hand, learned Special Public Prosecutor for the State has opposed the application for grant of anticipatory bail to the petitioner.

Be that as it may, regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within six weeks from today, the petitioner, who is said to be a man of clean antecedent, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Muzaffarpur in connection with Muzaffarpur SC & ST P.S. Case No. 19 of 2014 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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