

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10550 of 2016

Arising Out of PS.Case No. -168 Year- 2015 Thana -SANDESH District- BHOJPUR

Nand Gopal Singh, Son of Rampyare Singh, resident of village- Chilhous,
P.S.- Sandesh, District- Bhojpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madan Jeet Kumar, Advocate

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

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 20-05-2016

Heard learned counsel for the petitioner and

learned Special PP for the State.

Petitioner apprehends arrest in connection with Sandesh P.S. Case No. 168/15 for offences alleged under Sections 147, 149, 341, 323, 354, 427, 436, 379, 504, 506 of the Indian Penal Code and under Section 3(i)(x) of the SC/ ST (Prevention of Atrocities) Act.

The prosecution case, as lodged by the informant, is that on the instigation of petitioner accused persons assaulted the informant and her family members and also ousted them from his house. On 28.10.2015 when informant along with her family members was going to her village to cast vote accused persons stopped motorcycle and assaulted her mother. Informant saw her house and found the same unlocked, clothes of Rs. 30,000/- and ornaments of Rs. 50,000/- looted and the accused

persons set the house on fire.

It has been submitted by the learned counsel for the petitioner that he is innocent having committed no offence and the allegation upon him is general and omnibus and no injury has been caused on the informant side. He submits that petitioner has been implicated due to dirty village politics and that petitioner has neither abused nor taken caste name as such SC/ST Act will not apply.

Learned Special PP, however, submits that the petitioner along with co-accused has committed the overt act in public view, hence, opposes the prayer for bail.

Be that at it may, since the allegations upon the petitioner is general and omnibus and no injury has been found, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of eight weeks from today, be released 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 Judicial Magistrate 1st Class, Bhojpur at Ara, in connection with Sandesh P.S. Case No. 168/15, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J.)

Rajesh/-

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