

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23154 of 2016

Arising Out of PS.Case No. -63 Year- 2016 Thana -BARARI District- KATIHAR

Subodh Byash Son of Late Bunni Mahto @ Bano Mahto Resident of
Village Thakur Bari Tola Jaunia, P.S Barari District Katihar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh

For the Opposite Party/s : Mr. Binod Kumar No. 2(App)

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

02/ 23-05-2016

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 341,
323, 354B, 379, 504/34 of the Indian Penal Code and 3(1)(x) of
SC/ST (Prevention of Atrocities) Act.

The prosecution case is that on 08.03.2016
at about 7.30 P.M. when the husband of the informant was
returning home after purchasing vegetable and when he reached
near railway crossing the petitioner, Bunni Mahto and Kashiar
Mahto caught the husband of the informant, pushed him on the
ground and assaulted him. On hearing alarm when the informant
came to rescue then the petitioner pulled and tore her sari and
accused persons also abused them by calling caste name. It is

alleged that co-accused Kashiar Mahto snatched silver chain from the informant and made her semi nude.

It is submitted by learned counsel for the petitioner that the petitioner side lodged Barari P.S. Case No. 62 of 2016 against the informant at earlier point of time and thereafter as a retaliatory measure the present case has been lodged. Moreover, for the occurrence of 08.03.2016 at 7.30 P.M. the FIR has been registered on 09.03.2016 at 10.30 A.M.

Considering the nature of accusation and the case lodged by the petitioner side at earlier point of time, 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 twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V, Katihar in connection with Barari P.S. Case No. 63 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

DKS/-

(Dinesh Kumar Singh, J)

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