

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29258 of 2016

Arising Out of PS.Case No. -62 Year- 2016 Thana -HASANPUR District- SAMASTIPUR

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Shashi Kumar Mandal @ Laloo Mandal @ Lalu Mandal Son of Ram Bahadur Madnal, resident of Village-Kaley Narpatnagar, P.S- Hasanpur, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar Sinha, Advocate

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

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 20-07-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

Petitioner is languishing in jail custody since 13.03.2016 in connection with Hasanpur P.S. Case No. 62 of 2016 registered for the offences punishable under Sections 456, 341, 323, 376 and 511/34 of the Indian Penal Code and Section 3(i)(x)(xi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (hereinafter referred to as the Act).

The prosecution case, in brief, is that on 11.03.2016 at 11.45 P.M. while the informant was sleeping in her house, petitioner along with Ramji Mandal entered in the house and started teasing her. On the protest being made by the informant, petitioner started assaulting her. On hulla raised by the informant,

villagers came there and caught the petitioner and handed over him over to police. However, accused Ramji Mandal fled away.

It has been submitted by the counsel for the petitioner that petitioner is innocent and has not committed any offence. He further submits that no offence under the Act is made out, as the occurrence is not alleged to have taken place at a public place. He further submits that the petitioner is a poor farmer and only earning member of the family and has been falsely implicated due to village politics.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-3, Samastipur in connection with Hasanpur P.S. Case No. 62 of 2016.

(Nilu Agrawal, J.)

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