

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18206 of 2017

Arising Out of PS.Case No. -113 Year- 2016 Thana -BIHRA District- SAHARSA

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1. Arun Dev @ Arun Kumar Dev, S/o Late Radha Prasad Dev, R/o village -
Bihra, P.S. Bihra, District - Saharsa

.... Petitioner/s

Versus

1. The State of Bihar
2. Meena Devi, W/o not known Mukhiya Gram Panchayat Bihar Sattar
Kataiya, P.S. Bihra, District - Saharsa

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 16-05-2017 Heard both sides.

The petitioner apprehends his arrest in Bihra P.S.
case No. 113 of 2016 under Section 384 and other Sections of the
Indian Penal Code and under Section 3(1) (X) of the SC/ST Act.

The informant alleged that petitioner demanded
extortion for allowing her to construct the roads. The informant
further alleged that petitioner and others used filthy language by
naming her caste.

The learned counsel for the petitioner submits that
informant is Mukhiya of Bihra Gram Panchayat. She belongs to
Julha caste and Julha caste does not fall within the category of
scheduled caste. Even the District Welfare Officer reported that



Julha caste belongs to Extremely Backward Class. It is submitted that prior to lodging of this case the petitioner filed complaint against non construction of roads vide Annexure-4. Thereafter, the informant compromised the case.

It appears that petitioner lodged a complaint case against the informant, prior to institution of the present case, with regard to illegality committed by the informant.

Considering the facts aforesaid and the nature of allegations made against the petitioner, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri S. K. Singh, learned Judicial Magistrate-IV, Saharsa in Bihra P.S. Case No. 113 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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