

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26679 of 2016

Arising Out of PS.Case No. -32 Year- 2015 Thana -HARIJAN PS. District- NALANDA
(BIHARSHARIFF)

=====

1. Bipin Mahto Son of Sahdev Mahto, resident of Village Singhthu, P.S.
Manpur, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar

For the Opposite Party/s : Mr.

=====

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

3 22-02-2017 Heard learned counsels for the petitioners and the

State.

The petitioner has renewed his prayer for anticipatory bail in a case registered for the offences punishable under Sections 341,323,504,506 and 307/34 of the Indian Penal Code and section 3(1)(x) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act.

The prosecution case is that on 4.8.2015 co accused Satendra Mahto alias Sikander Kumar surrounded the informant in front of the house of Bindeshwar Yadav and abused him by calling his caste name and also threatened him for getting his brother arrested by the police. In the



meanwhile, the petitioner and other accused persons came and they also abused the informant by calling his caste name and when the informant started fleeing away, co accused Satendra Mahto resorted to firing but the firing did not cause any injury to the informant. It is further alleged that after hearing the sound of firing when the police personnel arrived, the accused persons fled away and during the course of fleeing co accused Satendra Mahto assaulted one Dhuri Yadav by butt of pistol causing injury on his right eye.

It is submitted by learned counsel for the petitioner that for a petty dispute the accusation has been levelled. There is counter version of the occurrence also being Manpur P.S. Case No. 47 of 2014 whereas others have been granted anticipatory bail by this court vide Cr. Misc. No. 23451 of 2016.

Though this court is not inclined to revise the earlier order but since other accused persons have been granted anticipatory bail, let the learned court below consider the prayer for regular bail of the petitioner in case the petitioner surrenders within six weeks from today in connection with SC/ST P.S. Case No. 32 of 2015 pending in the court of learned A.C.J.M. Nalanda at Biharsharif. The bail



application of the petitioner may be disposed of preferably on the same day.

This application is disposed of with the aforesaid observation/direction.

(Dinesh Kumar Singh, J)

Anil/-

U		T	
---	--	---	--

