

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51491 of 2014

Arising Out of PS.Case No. -34 Year- 2014 Thana -RAUTARA District- KATIHAR

Jishu Murmu son of Ramu Murmu, R/o village- Ramna Rajiganj, P.S.-
Rautara, District- Katihar.... Petitioner/s
Versus
The State of Bihar.... Opposite Party/s

with
Criminal Miscellaneous No.51604 of 2014

Arising Out of PS.Case No. -34 Year- 2014 Thana -RAUTARA District- KATIHAR

1. Sonelal Marandi @ Sonat Lal Marandi S/o Basit Marandi, R/o- Ramna
Rajiganj, P.S. Rautara, Distt- Katihar.... Petitioner/s
Versus
1. The State of Bihar Opposite Party/s

with
Criminal Miscellaneous No.6112 of 2015

Arising Out of PS.Case No. -34 Year- 2014 Thana -RAUTARA District- KATIHAR

1. Manjay Hansda son of Late Pradhan Hansda, resident of Village- Ramna
Rajiganj, P.S. Rautara, District- Katihar.... Petitioner/s
Versus
1. The State of Bihar Opposite Party/s

Appearance :
(In Cr.Misc. No.51491 of 2014)
For the Petitioner/s : Mr. Sanjeev Kumar Singh
For the Opposite Party/s : Mr. Atul Chandra(App)
(In Cr.Misc. No.51604 of 2014)
For the Petitioner/s : Mr. Sanjeev Kumar Singh
For the Opposite Party/s : Mr. Shyam Bihari Singh(App)
(In Cr.Misc. No.6112 of 2015)
For the Petitioner/s : Mr. Bhola Prasad
For the Opposite Party/s : Mr. Surendra Kumar(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 03-03-2015 Above noted applications have arisen out of one

occurrence i.e. Rautara P.S. Case No. 34 of 2014 registered for the

offences punishable under Sections 147, 148, 149, 323, 341, 307,

376/511 of the Indian Penal Code as such they have been heard together and are being disposed of by this common order.

Allegedly, when the informant was sleeping in her house with a child, the petitioner Manjay Hansda and co-accused Vishwanath Hansda entered into her house and the petitioner Manjay Hansda tried to commit rape with her and when she raised alarm, he called his men and then other co-accused named in the FIR came and assaulted her. Co-accused Bishwanath Hansda caught her and petitioner Manjay Hansda assaulted her with sickle on her neck.

Submission is that in this case some of the co-accused persons have been allowed anticipatory bail by the court below itself. No offence under Sections 307 and 376 IPC is made out. Due to land dispute a false case has been lodged. No such injury has been caused on the person of the informant and as such the petitioners who are suffering in custody since 23.9.2014 deserve sympathetic consideration as in this case chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence to which the learned APP opposes.

In the facts and circumstances stated above, the petitioners above named of all the three cases are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten

thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar in connection with Rautara P.S. Case No. 34 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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