

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4560 of 2015

Arising Out of PS.Case No. -73 Year- 2014 Thana -PIPRAHI District- SHEOHAR

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1. Mahendra Rai S/o Late Ram Roop Rai,
 2. Ram Kalyan Rai S/o Mahendra Rai, Both are residents of Village - Basahiya Yadav Tola, P.S. - Piprahi, Distt. - Sheohar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Verma, Advocate.

For the Opposite Party/s : Mr. Ramesh Chandra(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 03-02-2015 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in Piprahi P.S. Case No. 73 of 2014, registered for the offences punishable under Section 307 and other Sections of the Indian Penal Code.

Raja Ram Rai the informant filed the complaint case making allegation that the petitioner assaulted him and also took away different articles from his house on 23.05.2014.

Learned counsel for the petitioners submits that Ram Kalyan Rai petitioner no. 2 was injured in an occurrence, said to have taken place on 23.05.2014 and the petitioner no.2 at S.K.M.C.H., Muzaffarpur made his fardbeyan on the basis of which Piprahi P.S. Case No. 65 of 2014 was registered under Section 307 and other

Sections of the Indian Penal Code. The informant of this case is one of the accused in the aforesaid case.

On perusal of the records, it appears that the occurrence is said to have taken place on 23.05.2014, but the informant Raja Ram Rai filed the complaint case on 10.07.2014 i.e. about 1½ months after the alleged occurrence and on the basis of which the present FIR was lodged.

Considering the facts aforesaid and the fact that for the occurrence said to have taken place on 23.05.2014, Ram Kalyan Rai petitioner no. 2 filed Piprahi P.S. Case No. 65 of 2014 against the informant and others, the petitioners, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Learned Sub-Divisional Judicial Magistrate, Sheohar in connection with Piprahi P.S. Case No. 73 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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