

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15631 of 2015

Arising Out of PS.Case No. -77 Year- 2014 Thana -ANGARGHAT District- SAMASTIPUR

- =====
1. Shivchandra Rai S/o Late Bachanu Rai
 2. Laloo Kumar Rai
 3. Rajesh Rai Both S/o Shivchandra Rai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Ram Shankar Das(Spl.App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 04-05-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341/323/379/504/34 of the Indian Penal Code and section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

It is alleged that the co-villager Raj Kumar came to the toddy shop of the informant and demanded toddy, on refusal by the informant, he assaulted the informant with iron rod, whereas petitioner no.1 Shiv Chandra Rai dragged informant by catching her hair and assaulted with slap and fist, petitioner no.2 Rajesh Rai twisted her arms and petitioner no.3 Lalo Kumar Rai took away Rs.300/- cash and a chain from the informant. The accused persons also abused the informant by calling her caste name.

It is submitted by learned counsel for the petitioners that at earlier point of time the driver of the petitioner lodged Angarghat P.S. Case No.74 of 2014 against the informant and others thereafter maliciously the present case has been lodged. It is further submitted that for the occurrence of 29.08.2014, the FIR was registered on 04.09.2014 but it reached to the court of learned Judicial Magistrate on 19.09.2014 which suggests registration of FIR by antedating. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering delayed lodging of the FIR and at earlier point of time case was filed by the driver of the petitioners, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Dalsingsarai in connection with Angarghat P.S. Case No.77 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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