

Criminal Miscellaneous No.21368 of 2015

Arising Out of PS.Case No. -1100 Year- 2013 Thana -GAYA COMPLAINT CASE District- GAYA

1. Ram Sahay Prasad S/o Sri Ramdeo Mahto
2. Ramdeo Mahto S/o Late Yamuna Mahto
3. Ram Sarek Prasad S/o Sri Ramdeo Mahto
4. Bhusan Prasad S/o Ram Sahay Mahto
5. Rohit Prasad @ Rohit Kumar S/o Ram Sahay Mahto
6. Shivrati Devi @ Shivtri Devi W/o Late Ram Prasad Mahto
7. Savita Devi @ Satviya Devi W/o Ramdeo Mahto
8. Suruchi Devi @ Suvchiya Devi W/o Ram Sahay Prasad

All residents of Village - Khusahampur (Sarwahda), P.S. - Khijarsarai,
District - Gaya.

.... Petitioners.

Versus

1. The State of Bihar.
2. Most. Meena Devi Wife of Late Suresh Mahto Village – Khusahalpur (Sarbahda), P.S. - Khijarsarai, District – Gaya

.... Opposite Parties.

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Advocate
For the Opposite Party/s : Mr. Ashok Kr. Singh (A.P.P.)
For the State: Smt. Renu Kumari (A.P.P.)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-07-2015

Heard learned counsel for the petitioners and the

The petitioners apprehend their arrest in a case instituted under Sections 448, 341, 323, 379 of Indian Penal Code and ¾ Diyan Act.

The prosecution case, in short, is on the basis of complaint petition dated 17.06.2013 that on 13.06.2013 the petitioners with iron rod, Lathi, Danda etc. not only made

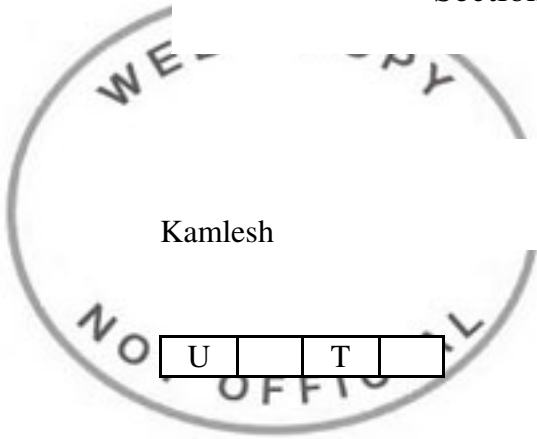
criminal trespass in the house of the complainant but in course thereof they also uttering her to be the witch practicing made her naked and dragged out on the road to humiliate her in the public and taken Rs. 10, 000/- and ornaments.

On behalf of the petitioners, it has been submitted that the petitioners and the complainant are Gotias. Further, it has been submitted that the date of occurrence is said to be 13.6.2013 as when the present complaint petition is filed on 17.06.2013. It has further been pointed out that the petitioners have been falsely implicated in the present case as there is a land dispute between the parties.

On behalf of the State, it has been submitted that the petitioner is named in the complaint petition.

Considering the aforesaid facts and circumstances that the case has been filed after a period of four days which has no explanation has been made on behalf of the prosecution, let the above named petitioners, in the event of their arrest or surrenders in the Court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court of Sri P.K. Jha, Judicial Magistrate-1st Class, Gaya in connection with Gaya Complaint

Case No. 1100/2013, subject to the conditions as laid down under
Sections 438 (2) of the Cr.P.C.



(Sudhir Singh, J.)