

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9773 of 2015

Arising Out of PS.Case No. -2669 Year- 2013 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

- =====
1. Vinay Kumar @ Mahilal Rai, Son of Late Janak Pd. Rai
 2. Lal Babu Paswan Son of Late Jagan Paswan
 3. Chandeshwarf Singh Son of Late Paltan Singh
 4. Darshan Kumar Mahto Son of Aklu Mahto

.... Petitioner/s

Versus

1. The State of Bihar
2. Nageshwari Devi W/o Devendra Paswan

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-04-2015 Heard learned counsels for the petitioners and the

State.

The petitioners are apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 323, 354 and 380 of the Indian Penal Code.

It is alleged that on the order of petitioner no.1 all accused persons entered into the house of the informant and assaulted her by kicks and fists, when husband of the informant came to rescue he was also assaulted by them. It is further alleged that petitioner no.3 took away briefcase containing Rs.50,000/- cash and other ornaments worth Rs.50,000/-.

It is submitted by learned counsel for the petitioners

that for the occurrence of 12.08.2013 the complaint was filed on 14.08.2013 and a proceeding under section 107 of the Cr.P.C. is also pending between the parties. Subsequently, both agreed to resolve the dispute mutually, which reflects from the order of Gram Kutchhery, Hussaina Khurda dated 01.06.2014 in Case No. 09/13, which has been brought into notice of this Court by way of annexure-3 to the petition. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering delayed filing of the complaint case and the accusation in the background of litigating terms between the parties, 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, Vaishali at Hajipur in connection with Complaint Case No.2669 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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