

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.31208 of 2015

Arising out of PS.Case No. -189 Year- 2014 Thana -DIGHA District- PATNA

1. Dippu Singh, S/o Subodh Singh.
2. Subodh Singh, S/o Late Nagina Singh. Both residents of Mohalla - Gosai Tola, Mainpura, P.S. - Patliputra, District - Patna.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioners : Mr. Uday Kumar Singh, Advocate.
For the State : Mr. Sadanand Paswan(Spl.App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 31-07-2015 The petitioners are apprehending their arrest in connection with Digha P.S. Case No. 189 of 2014 for the offences instituted under Sections 341, 323, 354, 504/34 of the IPC and 3(1)(x) of the SC/ST (Prevention of Atrocities) Act).

Heard learned counsel for the petitioners and learned counsel for the State.

The prosecution story, in brief, is that the informant used to reside on rent in Panchwati Colony Amrudi Garden and her house owner is Nilam Singh. It is further alleged that on 25.07.2014 at about 7 P.M. four persons came on black colour Pulsar Motorcycle and started to push his iron gate. It is further alleged that when she opened the gate they entered into the



campus, abused her and when she asked about abusing they assaulted her with slap and leg. They also abused and asked her Dom-Dusadhin. It is further alleged that Pramod Singh torn her Sari and blouse and started to outrage her modesty. She also disclosed the other accused persons as Dipu (petitioner), Subodh Singh(petitioner. It is further alleged that hearing noise Gunja Devi and her daughter Issa came to rescue her but Subodh Singh assaulted her by leg, so she received injury. At the time of leaving place Pramod Singh threatened the informant.

It has been submitted on behalf of the petitioners that the petitioners have falsely been implicated in the present case. It is further submitted that the informant is the tenant of Neelam Singh with whom the petitioners having a title suit going on in the court below. It has further been stated that Neelam Singh only to harass the petitioners have got the present case instituted through her tenant. Further it has been submitted that no provision of SC/ST Act is attracted as the alleged occurrence is said to have taken place inside the house.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of

their arrest or surrender before the learned court below within a period of six weeks from today in connection with Digha P.S. Case No. 189 of 2014 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Patna, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)