

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27046 of 2015

Arising Out of PS.Case No. -21 Year- 2015 Thana -KAJRA District- LAKHISARAI

=====

1. Tribhuwan Mishra S/o Late Kapildeo Mishra
2. Shashi Kumar Mishra S/o Tribhuwan Mishra Both residents of Village -
Madanpur, P.S. - Kajra, District - Lakhisarai.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Parmanand Pd. Nr. Sahi

For the Opposite Party/s : Mr. Ambika Bhagat (Spl.APP)

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 20-07-2015 Heard both sides.

The petitioners apprehend their arrest in a case under Section 379 and other sections of the Indian Penal Code and Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The informant alleged that the petitioners entered into his house, assaulted him by naming his caste and also snatched Rs.49,000/- from his possession. The petitioners are further alleged to have taken away different articles from the house of the informant.

It is submitted that the Dy.S.P. and S.P., who supervised the case, found that the informant being Chowkidar used to take wine and abused the people and the allegation of theft is false. Some altercation had taken place and accordingly directed the police to take steps under Section 41A(1) of the Cr.P.C. as the

offence punishable is less than seven years of imprisonment.

Mr. Ambika Bhagat, learned Special P.P., however, opposed the prayer for anticipatory bail and submits that the petitioners have got no apprehension of being arrested.

It appears that the informant made allegation of theft but same is found to be false and it has also been found that the informant is in the habit of picking quarrel after taking wine.

Considering the fact aforesaid and particularly the fact that the informant being Chowkidar made quarrel after taking wine, the petitioners, above named, in the event of their arrest or surrender in the court below within a period of four weeks from the date of receipt/production of this order, shall be released on bail in connection with Kajra P.S.Case No. 21 of 2015 on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Lakhisarai, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

spal/-

U			
---	--	--	--