

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37924 of 2015

Arising Out of PS.Case No. -136 Year- 2015 Thana -RAJIVNAGAR District- PATNA

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1. Lal Babu Saw S/o Late Ram Swaroop Saw
 2. Geeta Devi W/o Sri Lal Babu Saw
 3. Manoj Kumar @ Manoj Gupta @ Manoj Kumar Gupta S/o Sri Lal Babu Saw
 4. Rakesh Kumar @ Rakesh Gupta @ Rakesh Kumar Gupta S/o Sri Lal Babu Saw
 5. Kanchan Devi W/o Sri Manoj Kumar
 6. Sarita Devi W/o Sri Rakesh Kumar
- All are resident of village - Shanti Nagar Digha, P.S. Digha, Distt. - Patna
..... Petitioner/s

Versus

1. The State of Bihar
..... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Vijay 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 24-09-2015 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 447, 448, 323, 341, 504/34 of the Indian Penal Code and 3 (x) of the S.C./S.T.(Prevention of Atrocities) Act.

The prosecution case is that the petitioners entered into the house of the informant and abused by calling caste name. When protest was being made, the accused persons assaulted the informant and her husband and threatened to dispossess the informant from her house and demolished the house of the informant.

It is submitted by the learned counsel for the petitioners that for the occurrence of 01.06.2015 the First Information Report was registered on 10.06.2015. The petitioners' family is on litigating terms with one Niraj Kumar with regard to possession of a land. 144 Cr.P.C. proceeding was initiated due to dispute between the petitioners and Niraj Kumar who set up the present informant to lodge the present case. Admittedly, the occurrence took place inside the house of the informant which cannot be treated to be a place of public view.

Considering the delayed lodging of the case, the nature of accusation and statement has been made in para-3 of the petition that petitioners have no criminal antecedent, let the above named petitioners be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sri Saurav Kumar Verma, Judicial Magistrate, Ist Class, Patna in connection with Rajeev Nagar P.S. Case No. 136 of 2015, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

(Dinesh Kumar Singh, J)

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