

Arising Out of PS.Case No. -653 Year- 2014 Thana -NAUBATPUR District- PATNA

.... Petitioner/s

1. The State of Bihar

.... Opposite Party/s

For the Opposite Party/s : Mr. Parmeshwar Mehta (APP)

4 22-12-2015

Heard learned senior counsel for the petitioners

and learned Additional Public Prosecutor, for the State.

The petitioners pray for anticipatory bail in a case under Sections 448, 323, 504, 379, 380, 34 of the Indian Penal Code and Section 3(i)(x) of the SC/ST Prevention of Atrocities Act.

It is submitted by learned counsel for the petitioners that the incident as reported in the FIR is not supported during the course of investigation and so far as the question of taking away money and abusing the informant is concerned even her husband and son have not supported the said fact. It is further submitted that even the allegation of abuse by

taking caste name is stated to have occurred within the precinct of the residence of the informant and not in the hearing of any member of the public. It is also submitted that the informant had earlier filed an FIR on 16.12.2014 against the petitioners and their family members and she is bent upon repeatedly filing cases against them which is further proved by the fact that there is no injury report of the informant. It is further submitted by learned counsel that except for the earlier case filed by the informant herself, the petitioners do not have any criminal antecedent.

On a consideration of the facts and circumstances of the case, it is directed that the petitioners (1) Chintu Kumar and (2) Ajit Kumar Sharma @ Ajit Singh, in the event of their arrest/surrender within a period of four weeks from today, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Naubatpur P.S. Case No. 653 of 2014 to the satisfaction of the Additional Chief Judicial Magistrate Danapur, subject to the other conditions laid down under Section 438(2) Cr.P.C.

(Ramesh Kumar Datta, J)

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