

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37826 of 2015

Arising Out of PS.Case No. -122 Year- 2015 Thana -BIBHUTIPUR District- SAMASTIPUR

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1. Santosh Rai S/o Lalo Rai
 2. Lalo Rai S/o Bilat Rai
 3. Lal Bahadur Rai S/o Bilat Rai
 4. Ram Narayan Rai S/o Bilat Rai
 5. Ranjeet Rai S/o Lalo Rai
 6. Birendra Rai @ Birendra Kumar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate

For the Opposite Party/s : Mr. Ram Shankar Das(Spl.P.P.)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 18-09-2015

Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under sections 147, 149, 341, 323, 354, 379, 427 of the Indian Penal Code and section 3(1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The prosecution case is that petitioner no.1 Santosh Rai entered into the house of the informant and tried to outrage her modesty. On alarm being raised, the family members of the informant and other villager came and saved her. In the meantime, petitioner no.1 escaped from the scene. After one hour, the accused persons came to the house of the informant

abused her by calling caste name, on protest being made they assaulted the informant also. It is further alleged that several persons from the informant's side have received injuries and in course of occurrence the accused persons also snatched gold chain from the informant, took away Rs.8000/- and clothes and a mobile.

It is submitted by learned counsel for the petitioners that in fact the informant's sides were the aggressor and the petitioners' side received serious injuries. There is counter version of the occurrence also.

Considering the case lodged by the petitioners' side though subsequently 15 days after the present case, it is a case for consideration of prayer for regular bail. Let the learned Court below consider the prayer for regular bail of the petitioners, if the petitioners surrender within a period of six weeks in connection with Bibhutipur P.S. Case No.122 of 2015, pending before the learned Judicial Magistrate, 1st Class, Rosera, Samastipur.

With the above observation, this application is, accordingly, disposed off.

(Dinesh Kumar Singh, J)

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