

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41301 of 2015

Arising Out of PS.Case No. -441 Year- 2015 Thana -SAHAYAK NAGAR District- KATIHAR

- =====
1. Kamli Devi W/o- Shiv Jatan Yadav
 2. Shiv Jatan Yadav s/o- Late Brahmdeo Yadav
 3. Shyam Sunder Yadav s/o- Shiv Jatan Yadav
 4. Baiju Yadav s/o- Shiv Jatan Yadav
 5. Chhotu Yadav s/o- Raju Yadav
 6. Pinki Devi w/o- Shyam Sunder Yadav
 7. Kalpana Devi w/o- Baiju Yadav, All are R/O- Budhu Chowk, Near Bandh, P.S.- Katihar Sahayak, Distt- Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. Dr. Ravindra Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 08-10-2015

Learned counsel for the petitioners is permitted to make correction in paragraph-1 of the petition.

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 323, 341, 307, 379, 504, 506/34 of the Indian Penal Code and 3(i) (ii) of the S.C./S.T.(Prevention of Atrocities) Act.

The prosecution case is that the accused persons came and abused the father-in-law of the informant, when protest was made then Baiju Yadav catching hold of the hairs of the informant, pushed her on the ground,

thereafter Shyam Sundar Yadav assaulted with fist and slap and Chhotu assaulted with farsha on her head.

It is submitted by the learned counsel for the petitioners that for the occurrence of 17.07.2015 at 6.00 P.M. the First Information Report was registered on 18.07.2015 at 6.15 P.M. Except the petitioner nos. 3, 4 and 5, the accusation is not specific. The informant has retracted from the initial version and filed a petition to that effect before learned court below. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent.

Considering the specific accusation against petitioner nos. 3, 4 and 5, let the learned court below consider the prayer for regular bail of the above named petitioner nos. 3, 4 and 5 keeping in view that the informant has retracted from the initial version, if the petitioners surrender before the learned court below within a period of six weeks from today in connection with Katihar Town (Sahayak) P.S. Case No. 441 of 2015, pending in the court of learned Chief Judicial Magistrate, Katihar.

So far as petitioner nos. 1, 2, 6 and 7 are concerned, 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 Chief Judicial Magistrate, Katihar in connection with Katihar Town (Sahayak) P.S. Case No. 441 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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