

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1732 of 2015

Arising Out of PS.Case No. -403 Year- 2014 Thana -HILSA District- NALANDA
(BIHARSHARIFF)

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1. Ramchandra Ravidas, Son of Late Mathura Mochi.
 2. Shailesh Kumar @ Shailesh Ravidas @ Sailesh Kumar, Son of Ramchandra Ravidas.
 3. Sarvan Ravidas @ Shrawan Ravidas @ Deepak, son of Sri Ramchandra Ravidas.
- All residents of Village- Maheshpur, P.S. Hilsa, District- Nalanda.
..... Petitioners.

Versus

The State of Bihar
..... Opposite Party.

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Appearance :

For the Petitioners : Mr. Birendra Kumar, Advocate.
For the State : Mr. Md. Mustaque Alam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

2 29-01-2015 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in a case registered for offences punishable under Sections 341, 323, 379, 307, 504 and 34 of the Indian Penal Code and Section 3/4 of Prevention of Witch Practices Act.

Earlier the petitioners had moved this Court by filing Cr. Misc. No. 50347 of 2014 in which offence under Section 307 of the Indian Penal Code was not mentioned in paragraph 1 of that petition, as such it was disposed of with a liberty to the petitioners to move before the Additional Chief Judicial Magistrate, Hilsa, Nalanda in Hilsa (Chiksaura) P.S. Case No. 403 of 2014.

It is submitted that averment made in paragraph 1 in

Cr.Misc. No. 50347 of 2014 was made due to mistake.

It is submitted that occurrence of assault took place between both the parties due to land dispute and accused had also got injury and petitioner no. 1 has filed Complaint Case No. 840 C of 2014 for the same occurrence. Both parties have sustained injury. The injury sustained on the informant side is simple in nature and petitioners have no criminal antecedent.

Considering the facts and circumstances, in case of arrest or surrender within a period of four weeks, the above named petitioners shall be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Hilsa, Nalanda, in connection with Hilsa (Chiksaura) P.S. Case No. 403 of 2014, subject to condition as laid down under Section 438 (2) of Cr.P.C. and the other following conditions :

1. One of the bailors will be the close relative of the petitioners.
2. The petitioners will not indulge in similar or in any other offence.
3. The petitioners will be well represented in the court.

4. In case of absence for two consecutive dates or in violation of the terms of the bail, their bail bond will be liable to be cancelled by the court concerned.

In view of facts and circumstances stated above the order dated 15. 12. 2014 passed in Cr. Misc. No. 50347 of 2014 stands recalled subject to deposit a cost of Rs. 500/- by the petitioners in favour of Patna High Court Legal Services Committee and file a receipt thereof within a week.

m.p.

(Amaresh Kumar Lal, J)

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