

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47867 of 2015

Arising Out of PS.Case No. -125 Year- 2015 Thana -CHAURADANO District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Ram Narayan Rai
 2. Bhag Narayan Rai @ Bhagya Narayan Rai
Both Sons of Ram Ayodhya Rai
 3. Chandeshwar Rai Son of Ramhit Rai
 4. Randhir Rai @ Randhir Kumar Son of Pundeo Rai
 5. Rabi Kumar Son of Pundeo Rai
 6. Sonalal Rai Son of Late Laxmi Rai
 7. Ram Ayodhya Rai Son of Laxman Rai
 8. Kailashi Devi Wife of Bhag Narayan Rai
 9. Jai Devi Wife of Ram Narayan Rai

All resident of village - Bela, P.S. Chhauradano, District - East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s :

For the Opposite Party/s :

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL ORDER

2 06-11-2015 Heard learned counsel for the petitioners and learned

A.P.P. for the State.

Learned counsel for the petitioners submits that he is not pressing the application on behalf of the petitioner no. 4 as he has been taken into custody. Accordingly, the application on his behalf stands dismissed as withdrawn.

The petitioners apprehend arrest in Chhauradano P.S. Case No. 125 of 2015 dated 09.07.2015 instituted under Sections 147/148/149/323/324/354/307/379/504/506 of the Indian Penal Code and 27 of the Arms Act.

The allegation against the petitioners and three others is of assault but against them it is general and omnibus and against petitioners no. 3 and 6 the further allegation is of tearing the clothes of a woman and against petitioners no. 8 and 9 of tearing the cloth of Birendra Rai and against petitioner no. 7 of dragging the victim lady.

Learned counsel for the petitioners submits that the present case is false and lodged after three days of lodging Chhauradano P.S. Case No. 123 of 2015 by the petitioner no. 1 against the informant and others under Sections 147/148/149/323/324/325/307/379/504/506 of the Indian Penal Code. Learned counsel submits that the parties are agnates and there is land dispute for which partition suit is pending. It is further submitted

that the injuries are simple in nature and the petitioners have no criminal antecedent.

Learned A.P.P. opposes the prayer for anticipatory bail. However, he is not in a position to controvert the submissions of learned counsel for the petitioners.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the court below within six weeks from today, the petitioners no. 1, 2, 3, 5, 6, 7, 8 and 9 be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the concerned Judicial Magistrate, 1st Class, Raxaul, East Champaran at Motihari in Chhauradano P.S. Case No. 125 of 2015, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Ahsanuddin Amanullah, J)

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