

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39810 of 2015

Arising Out of PS.Case No. -47 Year- 2015 Thana -BHARGAWAN District- ARRARIA

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1. Ramchandra Thakur S/o Jagdish Thakur
 2. Binod Thakur S/o Jagdish Thakur
 3. Kari Thakur S/o Late Raja Thakur
 4. Ful Kumari Devi W/o Ramchandra Thakur.
 5. Rama Devi @ Ruma Devi @ Runo Devi W/o Binod Thakur.
 6. Soniya Kumari D/o Ram Chandra Thakur.
 7. Chuniya Kumari D/o Ramchandra Thakur. All residents of Village Pagpar, tola Pothiya, No. 3 of Village Sirsiya Kala, P.S. Bhargama District Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh
For the Opposite Party/s : Mr. Ambika Bhagat(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-10-2015 Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 448, 341, 323, 354(B), 307, 504, 34 of the Indian Penal Code and Section 3(1)(x) of the SC & ST (Prevention of Atrocities) Act.

The prosecution case is that accused persons came, made obstruction with regard to the construction of the house over the land claimed by the accused persons when petitioner No. 1 Ramchandra Thakur assaulted with iron rod to the informant. When wife and son of the informant came to rescue they were also assaulted whereas petitioners Ful Kumari, Rama Devi and Chuniya Kumari entered into the courtyard of the informant assaulted daughter-in-law and wife

of the informant and gave life threatening.

It is submitted by learned counsel for the petitioners that in the background of land dispute the accusation has been levelled. There is counter version of the occurrence also.

It is submitted by learned counsel for the informant that on conclusion of the investigation, final form/charge-sheet has been submitted including under SC/ST Act.

Considering the fact that specific accusation of assault and abuse is against petitioner Nos. 1 and 2 namely Ramchandra Thakur and Binod Thakur, let learned Court below consider the prayer for regular bail of petitioner Nos. 1 and 2, if they surrender within a period of six weeks in connection with Bhargama P.S. Case No. 47 of 2015, pending in the Court of learned Judicial Magistrate, 1st Class, Araria.

With the observations above, the application with regard to petitioner Nos. 1 and 2 stands disposed off.

So far as petitioner Nos. 3 to 7 are concerned, since there is no specific accusation against them and few of them are unmarried girl and few are married ladies, let the petitioner Nos. 3 to 7, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of

the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Araria in connection with Bhargama P.S. Case No. 47 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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