

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51279 of 2015

Arising Out of PS.Case No. -17 Year- 2015 Thana -SC/ST District- KATIHAR

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1. Kalimuddin son of Late Rahimuddin
 2. Md. Mojabbil @ Md. Jamil son of Kalimuddin
 3. Md. Kausar @ Kausar son of Kalimuddin
 4. Ansar Alam @ Ansar Sah @ Ausar Sah son of Kalimuddin
 5. Halmi Khatoon @ Halsmi Khatoon wife of Kalimuddin
 6. Chania Khatoon @ Chanisa Khatoon wife of Md. Mojabbi @ Md. Jamil
 7. Md. Muslim @ Maso Alam son of Kalimuddin, All resident of Village-
Balthi Maheshpur, Police Station- Kursela, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 15-12-2015

Heard both sides.

The petitioners apprehend arrest in a case registered for the offences punishable under sections 379, 504 and other allied sections of Indian Penal Code and section 3(i)(v) of the S.C./S.T. (Prevention of Atrocities) Act.

The informant filed a complaint petition on the basis of which the present F.I.R. has been lodged. It is alleged that on 02.06.2015 the accused persons came and began to assault the informant and his family members only because some quarrel had taken place between the children of two families.

It is submitted that the allegations are false and concocted. The occurrence is said to have taken place on 02.06.2015 but the complaint petition was filed on 11.06.2015. No satisfactory explanation was given for delay in lodging of the case.

Petitioner no. 1 Kalimuddin filed Kursela P.S. Case no. 51 of 2015 against Nawal Kishore Paswan for assaulting him and that is why the present case has been lodged making false allegation.

Considering the facts aforesaid, the petitioners above named, in the event of arrest or surrender in the court below within four weeks from the date of receipt/production of a copy of this order, shall be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar in connection with Katihar Sadar S.C./S.T. P.S. Case No. 17 of 2015 subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure, 1973.

(Prabhat Kumar Jha, J)

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