

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55140 of 2015

Arising out of PS.Case No.-54 Year- 2015 Thana -ANGARGHAT District- SAMASTIPUR

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1. Ajit Kumar @ Ajit Roy @ Ajeet Rai, son of Sukhdeo Rai.
 2. Sukhdeo Rai, son of Late Dihal Rai.

Both are residents of Village- Dadhiya, Asadhar, P.S. - Angarghat,
District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Ram Shankar Das, Spl.APP

For the Informant : Mr. Pramod Kumar

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 18-12-2015

Heard the parties.

The two petitioners apprehend their arrest in connection with Angarghat P.S. Case No.54 of 2015 for the offences punishable under sections 341, 323, 427, 504 and 506/34 of the Indian Penal Code, section 27 of the Arms Act and section 3(i) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as 'the Act').

Mr. Ashok Kumar Mishra, learned counsel has appeared for the petitioners, the State is represented by the learned Special Public Prosecutor and Mr. Pramod Kumar has registered appearance for the informant to oppose the prayer of the petitioners.

Mr. Mishra, learned counsel appearing for the petitioners with reference to the FIR submits that the dispute is a fall out of the stoppage of rain water which was floating into

the house of the petitioners and has been blocked resulting in protest as well as this case. With reference to the allegation he submits that whereas the offences under 'the Act' is concerned it is yet to be established, in so far as the offence under the Arms Act is concerned, there is no recovery of cartridge and in so far as the other offences are concerned, it is only development on the accusation.

Although Mr. Pramod Kumar, learned counsel appearing for informant has contested the prayer, inter alia, on grounds that the petitioner no.1 is a habitual offender and is oppressive on the informant but in consideration of the nature of allegation so made in the FIR and the circumstances existing, let the petitioners namely, Ajit Kumar @ Ajit Roy @ Ajeet Rai and Sukhdeo Rai in the event of their arrest or surrender within four weeks from today be released on bail upon each of them furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Shashi Kant Chaudhary, the learned Judicial Magistrate 1st Class, Dalsinghsarai, District- Samastipur and/or the court concerned in connection with Angarghat P.S. Case No.54 of 2015 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Jyoti Saran, J)

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