

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52432 of 2015

Arising Out of PS.Case No. -145 Year- 2015 Thana -KUSHESHWARSTHAN District-
DARBHANGA

- =====
1. Jagarnath Ray son of Late Siyaram Ray
2. Siyaram Ray son of Late Dhanik Ray Both are residents of village -
Usari, Police Station - Kusheshwar Asthan, District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Mr. Ambika Bhagat(Spl.App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 11-12-2015 Heard learned counsel for the petitioners and learned
Special P.P. for the State.

The petitioners apprehend their arrest in connection with
Kusheshwar Asthan P.S.Case No. 145 of 2015 registered for
offences punishable under Sections 341, 323, 308, 354, 504 of the
Indian Penal Code and Section 3 (i) (x) of the S.C. /S. T. Act.

The prosecution case as per the F.I.R. is that children
were playing but a quarrel started between them upon which
petitioner No. 1 caused hurt to the son of the informant. The
informant objected upon which petitioner No. 1 gave rod blow on
the head of the informant. On hulla, daughter of the informant
came to save, then petitioner No. 2 Siyaram Roy tried to outrage
her modesty and when wife of the informant came, she was also
assaulted by other c0-accused with lathi.

Learned counsel for the petitioners submitted that they

have been falsely implicated and some of the co-accused have already been granted the privilege of anticipatory bail by a Co-ordinate Bench of this Court vide order dated 16.10.2015 passed in Cr. Misc. No. 48513 of 2015.

It has also been submitted that the present case is a counter blast to the previous case lodged by another co-accused Shanti Devi bearing Kusheshwar Asthan P.S.Case No. 143/2015. The petitioners have clean antecedents as is evident from para-3 of this petition. Furthermore, no case under Section SC/ST Act is made out against the petitioners.

Be that as it may, let the above named petitioners in the event of their arrest or surrender before the Court below within a period of six weeks from today be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Biraul at Benipur, Darbhanga in connection with Kusheshwar Asthan P.S.Case No. 145 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr. P. C.

(Nilu Agrawal, J)

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