

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55082 of 2015

Arising Out of PS.Case No. -161 Year- 2014 Thana -MAHESI District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. MUNNA RAI, SON OF SITA RAM RAI.
 2. AWADHESH SAH, SON OF SARUFAN SAH,
 3. BINODH SAH @ BINOD SAH, SON OF SARUFAN SAH.
 4. SANJAY RAI, SON OF RAM CHANDRA RAI.
 5. NAWAL RAI, SON OF RAJENDRA RAI.
 6. RAJENDRA RAI, SON OF BISHUN RAI.
 7. SURENDRA RAI, SON OF BINDESHWARI RAI.
 8. UPENDRA RAI, SON OF BINDESHWARI RAI, ALL RESIDENTS OF
VILLAGE - CHAKFATULA, POLICE STATION - MEHSI, DISTRICT -
EAST CHAMPARAN.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR.

.... OPPOSITE PARTY/S

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar

For the Opposite Party/s : Mr. Raj Ballabh Singh (App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 11-12-2015 Heard learned counsel for the petitioners and the

learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Mehsi P.S. Case No. 161 of 2014 registered under Sections
447, 341, 323, 324, 325, 307, 379, 504 and 506/34 of the Indian
Penal Code and Section 3/4 of the Prevention of Witch (Daain)
Practices Act.

The allegation of informant, Nilam Kumari, is that she
was moving to Motihari along with brother-in-law of his brother



on motorcycle to appear in Metric Examination. In the way, due to earlier dispute, 13 persons including the petitioners armed with Lathi, Tangari (axe), iron rod and Danda surrounded the motorcycle and started to abuse and assault. When, Binda Rai, father of the informant, came to save her then co-accused, Ramand Rai, caused injury at his left hand through axe and co-accused, Sunil Rai, caused injury at the head of the informant through iron rod. In that course, co-accused, Surendra Rai, snatched the gold chain and other ornaments from the informant.

Learned counsel for the petitioners submits that it would appear from the F.I.R. there is grudge and earlier dispute between the petitioners and the informant due to that reason, petitioners have falsely been implicated in this case without any specific over act. Moreover, the specific allegation is against co-accused, Ramnandan Rai and Sunil Rai to cause assault to the informant and her father.

Considering the aforesaid submissions, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, East Champaran at

Motihari, in connection with Mehsi P.S. Case No. 161 of 2014,
subject to the condition as laid down under Section 438(2) of the
Cr.P.C.

(Rajendra Kumar Mishra, J)

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