

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12150 of 2015

Arising Out of PS.Case No. -257 Year- 2014 Thana -KOTWA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Nagina Prasad Yadav @ Nagina Rai.
 2. Ram Babu Rai.
 3. Mohan Rai.
 4. Balistar Rai.
 5. Mantu Rai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioners : Mr. Vijay Shankar Shrivastava, Advocate.

For the Opposite Party : Mr. Vinod Shankar Modi(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 24-03-2015 Heard learned counsels for the petitioners
and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 324, 307, 379, 447 and 504 of the Indian Penal Code.

It is alleged that on the order of petitioner no. 4 Balistar Rai, petitioner no. 2 Ram Babu Rai assaulted with Farsa on the head of the informant when the informant's husband came to rescue then he was also assaulted. Petitioner no. 3 Mohan Rai snatched gold chain from the informant worth Rs. 10,000/-.

It is submitted by learned counsel for the

petitioners that in the background of land dispute accusation has been levelled. There is counter version of occurrence also and the petitioners' side have also received injuries.

Considering the fact that the specific accusation of assault is against petitioner no. 2 Ram Babu Rai, let learned court below consider the prayer for regular bail if he surrenders within a period of six weeks from the date of receipt/production of copy of the order in connection with Kotwa P.S. Case No. 257 of 2014, pending in the court of the learned J.M. Ist Class, East Champaran at Motihari.

With this observation, the application of petitioner no. 2 is disposed off.

Since there is no specific accusation against petitioner nos. 1, 3, 4 and 5 and there is counter version of occurrence also, let them except petitioner no. 2, be released on bail in the event of arrest or surrender before the learned court below within a period of twelve weeks from today in connection with Kotwa P.S. Case No. 257 of 2014, 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 J.M. Ist Class, East Champaran at Motihari, subject to the conditions as

laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Dinesh Kumar Singh, J)

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