

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24152 of 2015

Arising Out of PS.Case No. -77 Year- 2014 Thana -MUSRIGHARARI District- SAMASTIPUR

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1. Sudhir Mahto Son of Ram Chandra Mahto
2. Ram Babu Mahto Son of Ram Nandan Mahto
3. Shyam Babu son of Jageshwar Mahto
All are Resident of Village: Gangapur, P.S: - Musrigharari, district
Samastipur

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sabita Devi wife of Suresh Rajak Resident of Village- Gangapur, P.S
Musrigharari, District Samastipur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy
For the Opposite Party/s : Mr. Ambika Bhagat (Spl.P.P.)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 09-07-2015 Heard both sides.

The petitioners, three in number, apprehend their arrest in a case under Section 323, 354 and other sections of the Indian Penal Code and Section 3(i)(x) of SC/ST (Prevention of Atrocities) Act.

The informant alleged that Durga Devi came inside her house and began to abuse her. On such, Ajay Kumar, son of the informant, slapped Durga Devi. After some time, the petitioners, Shyam Babu, Sudhir Mahto, Rambabu Mahto along with Durga Devi and others came and brutally assaulted the informant's son, daughter and husband. When Mithilesh Devi came to rescue them, the petitioners also assaulted her. It is

submitted that all the allegations are false and concocted. There is a counter version being Musarigharari P.S. Case No. 76 of 2014. Durga Devi and others, who are alleged to have assaulted the son of the informant, have already been granted anticipatory bail by order passed in Cr. Misc. No. 34451/2014. The case of the petitioner stands on similar footing.

Considering the facts aforesaid, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to 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 Sri Vivek Bharadwaj, Judicial Magistrate, 1st Class, Samastipur in Musarigharari P.S. Case No. 77/2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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