

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24066 of 2015

Arising Out of PS.Case No. -67 Year- 2013 Thana -BARHARA District- PURNIA

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1. Badal Rishideo S/o Ram Pukar Rishidev
 2. Deo Sharan Rishideo S/o Jagan Rishidev Both Resident of Village Maldiha, P.S. Barhara, District Pure
 3. Bablu Rishideo S/o Ramswarup Rishidev Resident of Village Baghara, P.S. Alam Nagar, District Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh

For the Opposite Party/s : Mr. A.L. Pandit (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 02-09-2015 Heard learned counsel for the petitioners and learned counsel
for the State.

The petitioners are apprehending their arrest in connection with Barhara P.S. Case No. 67/2013 for the offences instituted under Section 307 and other sections of the Indian Penal Code.

The prosecution story, in brief, is that the informant Chandhuri Devi in her written report has stated that on 02.05.2013 the accused persons including the petitioners armed with lathi, danda came at the house of the informant and abused. They assaulted her husband by lathi on his head causing bleeding injury. When the informant came to save him, she was also assaulted. She has stated that her Gotani Indira Devi is Secretary of Adhoc Committee of School and the accused persons were using the roof of the school building for drying maize crop. When the committee prohibited them, they committed the

offence.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no specific allegation against petitioner No. 1 and 3. As far as petitioner no. 2 is concerned, there is specific allegation against him for assaulting the victim.

On behalf of the State it has been submitted that the allegation of assault made against the petitioner No. 2 corroborates the injury report.

Considering the aforesaid facts and circumstances, anticipatory bail of petitioner No. 2 (Deo Sharan Rishideo) stands rejected.

As far as petitioners No. 1 and 3 are concerned, let them, 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 in connection with Barhara P.S. Case No. 67 of 2013 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 Chief Judicial Magistrate, Purnea, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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