

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26556 of 2015

Arising Out of PS.Case No. -1108 Year- 2013 Thana -AURANGABAD COMPLAINT CASE
District- AURANGABAD

- =====
1. Manju Devi
 2. Nilami Devi.
 3. Ulsha Kumari @ Usha Kumari.
 4. Bikash Kumar.

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kr Singh No. 6

For the Opposite Party/s : Mr. Ram Shankar Das(Spl.App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-07-2015

Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 341, 323, 379 and 504 of the Indian Penal Code and Section 3 (I) (X) of the SC/ST (Prevention of Atrocities) Act.

It is alleged that on 19.11.2013, all the accused persons came to the house of the informant, abused by calling caste name and made assault. It is further alleged that co-accused Krishna Mahto tried to strangulate the informant and when the son and wife of the informant came to rescue then they were also assaulted.

It is submitted by learned counsel for the petitioners that

the mother of petitioner nos.3 and 4 was assaulted at the hands of the informant for which Madanpur P.S. Case No. 179 of 2013 was registered on 10.11.2013 levelling accusation under Sections 341, 323, 307 and 504/34 of the IPC and Section 3/4 of the Prevention of Witch (Daain) Practices Act, thereafter, for the occurrence of 19.11.2013, the present complaint was filed on 21.11.2013 and admittedly the occurrence took place at the door of the informant which cannot be treated to be place of public view.

Considering the fact that accusation of making assault is not specific, case lodged by the petitioners' side at earlier point of time, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Aurangabad in connection with Complaint Case No. 1108 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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