

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1178 of 2015

Arising Out of PS.Case No. -393 Year- 2014 Thana -SAUR BAZAR District- SAHARSA

1. Munna Sah, Son of Kishor Prasad Sah,
2. Kishor Prasad Sah, son of Late Kamaleshwari Sah
3. Pawan Sah son of Late Kamaleshwari Sah All are resident of Village-
Jamhara Naya Tola, P.S.- Saur Bazar, District- Saharsa

.... Petitioner/s

Versus

1. The State of Bihar
2. Ambika Paswan, son of Sri Lal Mohan Paswan, Resident of Village-
Bhaddi, P.S.- Saur Bazar, O.P. Patarghat, District- Saharsa

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satish Kumar Singh
For the Opposite Party/s : Mr. Sadanand Paswan (Spl.Pp)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 20-01-2015 Heard learned counsels for the petitioner and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 379 and 504/34 of the Indian Penal Code and Section 3 (I) (X) of the SC/ST (Prevention of Atrocities) Act.

It is alleged that the petitioners came at the door of the informant and demanded extortion of ₹1,00,000/-, assaulted the informant, took away articles from the house of the informant and when the son of the informant made protest, he was also assaulted and abused by calling caste name.

It is submitted by learned counsel for the petitioners that

for robbing of the tractor of petitioner no.1, Bakhtiyarpur (Basnahi) P.S. Case No. 02 of 2014 was registered making accusation under Section 392 of the IPC which was recovered from the door of the informant, hence, as a retaliatory measure, the present case has been lodged. It is further submitted that the occurrence took place at the house of the informant which cannot be treated to be a place of public view. A statement has been made in para 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, 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 J.M., Saharsa in connection with Saur Bazar (Patarghat O.P.) P.S. Case No. 393 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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