

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.31224 of 2015

Arising out of PS.Case No. -161 Year- 2014 Thana -CHAKIA District- EAST
CHAMPARAN(MOTIHARI)

1. Mohan Rai, son of late Rambahadur Rai.
2. Raju Rai, son of Mohan Rai. Both are residents of village - Chakphatullar
P.S. Mehsi Dist - East Champaran.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioners : Mr. Rajesh Kumar, Advocate.

For the Opposite Party : Mr. Sanjay Kumar Singh (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 31-07-2015 The petitioners are apprehending their arrest in connection with Mehsi P.S. Case No. 161 of 2014 for the offences instituted under Sections 447, 341, 324, 325, 307, 379, 504, 506/34 of the I.P.C. and ¾ of the Witch Act.

Heard learned counsel for the petitioners and learned counsel for the State.

The prosecution story, in brief, is that on 28.08.2014 at about 8.30 A.M. she was going to Motihari for her matric examination with Birendra Rai the brother-in-law of her brother and due to previous enmity when the informant reached to the house of Dasai Sah, all the accused persons named in the F.I.R. including the petitioners came there with Lathi, Danda and arms



and said that why did she go with a boy of out side. The informant told that it is her right to go to whom she like upon which all the accused persons assaulted Birendra Rai with Lathi, Danda and slaps. Binda Rai father of the informant came to intervene then Ramnand Rai assaulted him with Tengari on his left shoulder and the accused Sunil Rai assaulted the informant with iron rod and they all pressed her as she is a daughter of Dain and co-accused Surendra Rai took out her nose pin, ear right and chain from her neck.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. It is further stated that there is no overt act alleged against the petitioners nor there is allegation of any injury to any person in course of occurrence.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Mehshi P.S. Case No. 161 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 C.J.M., East Champaran at Motihari,

subject to the conditions as laid down under Section 438(2) of the
Code of Criminal Procedure.

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(Sudhir Singh, J)

