

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33809 of 2015

Arising Out of PS.Case No. -10 Year- 2015 Thana -BIRUPUR SAHAYAK District- LAKHISARAI

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1. Pappu Ram Son of Higan Ram
 2. Dipu Ram Son of Higan Ram
 3. Kundan Ram Son of Higan Ram
 4. Aakash Ram Son of Higan Ram
 5. Manish Ram @ Manish Kumar Son of Higan Ram
 6. Higan Ram Son of Late Bundi Ram

All resident of Village- Repura, P.S.- Birupur, District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Amrendra Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 31-08-2015

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506, 354, 379/34 of the Indian Penal Code and 8 of the Prevention of Children from the Sexual Offences Act.

The prosecution case is that petitioner no. 1 Pappu Ram chased the daughter of the informant, as a result she fell down and became unconscious. When the

informant's wife raised alarm, the daughter of the informant was released, thereafter the accused persons assaulted the informant, his wife and nephew. It is alleged against petitioner no. 2 namely Dipu Ram that he resorted to fire. Petitioner no. 1 took out Rs. 3,000/- from the pocket of the informant.

It is submitted by the learned counsel for the petitioners that even assuming the accusation for the offence either under Section 354 of the Indian Penal Code and 8 of the Prevention of Children from the Sexual Offences Act is not made out against the petitioners. For a petty dispute accusation has been levelled. For the occurrence of 07.04.2015, the First Information Report was registered on 10.04.2015 which reached to the Court of learned In-charge A.D.J. Ist on 18.04.2015 which suggests that the F.I.R. was registered by ante dating. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent

Considering the nature of accusation, delayed lodging of the First Information Report and statement made in para-9 of the petition that none has received any injury, let the above named petitioners be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.D.J.-Ist,

Lakhisarai in connection with Birpur P.S. Case No. 10 of 2015,
subject to conditions as laid down under Section 438(2) of the
Indian Penal Code.

(Dinesh Kumar Singh, J)

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