

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38261 of 2015

Arising Out of PS.Case No. -213 Year- 2014 Thana -SONBERSA District- SAHARSA

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1. Most. Suro Devi widow of late Yogendra Sah
2. Dukhni Devi wife of Mahendra Sah Both resident of village- Bhada Tola
Parokiya, P.S. Sonbarsa, District- Saharsa

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 23-09-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341,323 and 504/34 of the Indian Penal Code and section 3(1)(x) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act.

The prosecution case is that on 18.10.2014 the sister in law of the informant was fencing some land for growing vegetable when the accused persons made protest and abused by calling caste name. It is also alleged that co accused Rajiv Sah, Vikas Sah and Mahendra Sah assaulted the informant with fists and slaps.

It is submitted by the learned counsel for the

petitioners that for the occurrence of 18.10.2014 at 6 A.M. the FIR was registered on 20.10.2014 at 4.05 P.M. when the FIR reached to the court of the learned Incharge CJM on 22.10.2014. There is counter version of the occurrence also and admittedly the accusation of assault is not against the petitioners.

Considering the delayed lodging of the case, the accusation being levelled in the background of land dispute, there is counter version of the occurrence and the petitioners being ladies, 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 twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Saharsa in connection with Sonbarsa Raj P.S. Case No.213 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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