

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42602 of 2015

Arising Out of PS.Case No. -25 Year- 2015 Thana -ADHAURA District- BHABHUA (KAIMUR)

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1. Kaushalaya Devi @ Koshila Devi W/o Lali Yadav
2. Shila Devi W/o Ramakant Yadav
3. Lali Yadav
4. Ramakat Yadav S/o Late Bhogi Singh
All R/o Village Dahar, P.S. Adhaura, District Kaimur (Bhabhua).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Rewti Kant Raman

For the Opposite Party/s : Mr. Ambika Bhagat (Spl.P.P.)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 03-12-2015

Heard both sides.

The petitioners, namely, Kaushalaya Devi @ Koshila Devi, Shila Devi, Lali Yadav and Ramakant Yadav, apprehend their arrest in a case under Sections 341, 323, 324, 307, 34 of the Indian Penal Code and Section 3(I)(iv) of the SC/ST Act.

The allegation is that the informant has constructed a thatched house and went outside his village to earn his livelihood and when the informant returned, he found that his house was demolished and the land was turned into a culturable field. On enquiry, the informant came to know that petitioner no. 4, Ramakant Yadav and petitioner no. 3, Lali Yadav demolished his house. When the informant went to complain, Ramakant Yadav and Lali Yadav are alleged to have assaulted the informant and the

wives of petitioners no. 3 and 4, namely, Kaushalaya Devi @ Koshila Devi (petitioner no. 1) and Shila Devi (petitioner no. 2) are said to have assaulted the wife of the informant. It is submitted that no injury was found on the person of the informant or his wife. From the perusal of the entire case diary, it appears that the investigating officer has not collected any injury. Nobody has seen that the petitioners demolished the house of the informant and this case has been lodged only to put pressure.

Considering the facts aforesaid, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged on bail 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 Chief Judicial Magistrate, Kaimur at Bhabhua in Adhaura P.S. Case No. 25/2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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