

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.33755 of 2015

Arising Out of PS.Case No. -102 Year- 2015 Thana -TEGHRA District- BEGUSARAI

1. Rajpati Sharma, S/o- Bino Sharma

2. Gayatri Devi, W/o- Rajpati Sharma

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr. Sadanand Paswan(Spl.App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 10-09-2015

Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341/323/337/504/34 of the Indian Penal Code and section 3(1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The prosecution case is that the informant made protest for fixing pillar by accused persons on his land, the petitioner no.1 Rajpati Sharma assaulted with iron rod on the head of the informant when brother's wife of the informant came to rescue she was also assaulted with brick by petitioner no.2. Though, accusation of abusing by calling caste name is against co-accused Bino Sharma.

It is submitted by learned counsel for the petitioners that in the background of land dispute the accusation has been levelled.

For the occurrence of 16.04.2015 at 11:00 am, the FIR was registered on 17.04.2015 at 01.00 pm.

Considering the specific accusation of assault against petitioner no.1 Rajpati Sharma and injury of the informant has been found to be grievous, let the learned court below consider the prayer for regular bail, if he surrenders within a period of six weeks in connection with Teghra P.S. Case No.102 of 2015, pending before the learned Chief Judicial Magistrate, Begusarai.

So far as petitioner no.2 Gayatri Devi is concerned there is accusation against her of pelting bricks on the sister-in-law of the informant but there is nothing on record to suggest that she sustained any injury and petitioner no.2 is a lady, let her 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) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusara in connection with Teghra P.S. Case No.102 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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