

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36005 of 2015

Arising Out of PS.Case No. -206 Year- 2015 Thana -MAHUA District- VAISHALI(HAJIPUR)

1. Soni Kumari D/o Ram Ishwar Rai
2. Shivnath Rai S/o Late Nabudan Rai
3. Ram Ishwar Rai S/o Late Nabudan Rai
4. Sanjay Rai S/o Late Bindeshwar Rai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 08-09-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 323/341/342/34 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 went to the door of the petitioner no.2 Shivnath Rai to demand his back-wages then he was tied with rope, assaulted and abused by calling caste name. It is further alleged that when mother of the informant came to rescue she was also assaulted and abused by calling caste name.

It is submitted by learned counsel for the petitioners that for the occurrence of 21.04.2015, the FIR was registered on 26.04.2015 and no injury was caused to the informant. Moreover, the door of the informant being place of occurrence cannot be treated to be place of public view. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, 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 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Mahua P.S. Case No.206 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

U		T	
---	--	---	--