

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34199 of 2015

Arising Out of PS.Case No. -407 Year- 2015 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Ramesh Mahto
 2. Umesh Mahto Both S/o Rupa Mahto
 3. Rupa Mahto S/o Late Mahadeo Mahto
 4. Kamli Devi W/o Rupa Mahto All R/o Fulwar, P.S. Banjariya, District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Patanjali Rishi
For the Opposite Party/s : Mr. Raj Ballabh Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-08-2015 Heard learned counsels for the petitioners
and the State.

Petitioners are apprehending their arrest in
a case registered for the offences punishable under Sections
307, 323, 341, 379, 385, 447, 504, 506, 34 of the Indian Penal
Code.

It is alleged that accused persons including
the petitioner demanded extortion and for non payment of
extortion demand assaulted the informant with fists and slaps
and when son of the informant came to rescue he was also
assaulted. The accused persons took away cash of Rs. 10,000/-
and wrist watch of the informant.

It is submitted by learned counsel for the

petitioner that for the occurrence of 26.05.2015 the First Information Report was registered on 30.05.2015. From the F.I.R itself, it appears that no injury was actually caused to the informant's side. The accusation has been levelled in the background of litigated relationship between the parties from before and it appears unreasonable that petitioner's side alleged to have variously armed but they did not use the arms.

A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Considering the delayed lodging of the F.I.R, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Turkaulia P.S. Case No. 407 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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