

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25461 of 2015

Arising Out of PS.Case No. -127 Year- 2015 Thana -BUXAR District- BUXAR

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1. Sushila Devi w/o Late Brij Mohan Rai
 2. Priyanka Kumari d/o Late Brij Mohan Rai Resident of Mohalla Civil Line, Police Station- Buxer (T), District- Buxer.
 3. Tej Narayan Rai son of Nanhuk Rai, Resident of village Chilhari, Police Station Naya Bhojpur, District- Buxer.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta

For the Opposite Party/s : Mr. Rana Randhir Singh (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 21-09-2015 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case instituted under Sections 147, 148, 149, 341, 323, 379, 448, 307 and 354 of the Indian Penal Code.

It is alleged that on 20.3.2015, when the informant along with her mother-in-law, husband and children were in their house, in the meantime all the petitioners along with Maini Kumari and unknown persons came there and attempted to enter into her house. On protest by her mother-in-law, then on instigation of Tej Narayan Rai, Sushila Devi caught the hair log of the mother-in-law and put down on the ground and started assaulting on her breast by fat and Priyanka Kumari assaulted with

iron rod on her head and accused Maini Kumari assaulted her by danda and thereafter other accused persons torn her blouse with bad intention.

It has been submitted on behalf of the petitioners that it is a case and counter case. It is further submitted that the petitioners side has also sustained injury in course of occurrence and the same injury has not been explained by the prosecution, which casts serious doubt upon the prosecution. It is further submitted that a Title Suit is pending between the parties.

On behalf of the State, it has been submitted that the petitioners are named in the FIR.

Considering the aforesaid facts, let the above named petitioners, in the event of their arrest or surrender in the court below within a period of four weeks, be released 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 learned C.J.M., Buxar in connection with Buxar (T) P.S.Case No. 127 of 2015, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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