

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26669 of 2015

Arising Out of PS.Case No. -22 Year- 2014 Thana -HARIZAN District- BEGUSARAI

- =====
1. Bijay Rai.
 2. Satya Narayan Rai. Both sons of late Deonath Rai.
 3. Gopal Kumar Rai @ Gopal Rai son of Satya Narayan Rai.
 4. Manish Kumar @ Manish Rai son of Gopal Rai.
 5. Kumari Rupam wife of Gopal Rai.
 6. Manoj Rai son of late Rajendra Rai.
 7. Ram Dulari Devi wife of Satya Narayan Rai.
 8. Rupam Devi wife of Manoj Rai.
 9. Lakhpatri Devi @ Lakhia Devi wife of late Rajendra Rai.
 10. Sanju Devi wife of Bijay Rai.
 11. Naresh Rai son of late Rajendra Rai. All resident of village Naulagarh, Pokhartola, Ward No.12, Bhagwanpur, District Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh

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

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-07-2015 Heard learned counsel for the petitioners and

learned A.P.P. for the State.

The petitioners are apprehending their arrest in a case instituted under Sections 147, 341, 323, 504, 506, 354, 427 and 380 of the Indian Penal Code and Section 3 (1)(X) of S.C./S.T. Act.

The prosecution story, in brief, is that the informant has stated in his written application that when he was washing his face on 29.3.2014 in the morning, all the accused



petitioners came armed with lathi, danda, rod, etc. and entered into his house. One Vijay Ray asked the informant as to why son of the informant has abused by caste name. All the accused persons assaulted the informant and his wife abusing by caste name and wanted to naked his wife. Accused Manoj Rai took away a box containing the clothes, ornaments and cash of Rs.12,500/-.

On behalf of the petitioners, it is submitted that the present case has been instituted in retaliation to Bhagwanpur P.S. Case No.67 of 2014. It is further submitted that as per the prosecution case the alleged date of occurrence is 29.3.2014 and the present case has been instituted on 2.4.2014. The delay has not been explained by the prosecution. It is further submitted that the provision of S.C./S.T. Act is not attracted, as the alleged occurrence has not taken place in the public place. The petitioners have got no criminal antecedents.

On behalf of the State, it is submitted that the petitioners are named in the first information report.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender in the court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like

amount each to the satisfaction of A.C.J.M., Begusarai in connection with S.C./S.T. (Begusarai) P.S. Case No.22 of 2014, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Sudhir Singh, J)

V.P.Sinha/-

U			
---	--	--	--