

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15822 of 2015

Arising Out of PS.Case No. -13 Year- 2015 Thana -JADOPUR District- GOPALGANJ

1. Ramesh Ram @ Ramesh Kumar Ram Son of Ram Dayal Ram
2. Madhu Devi wife of Ram Dayal Ram
3. Ram Lal Ram Son of Late Vikarma Ram
4. Paltu Ram son of Late Ram Swaroop Ram
5. Manoj Mahato, Son of Late Mahavir Mahto,
6. Chandrama Ram son of Late Ratan Ram
All Resident of village- Semra, P.S.- Jadopur, District- Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghulam Rabbani, Advocate

For the Opposite Party/s : Mr. Dr. Ravindra Kumar (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-04-2015

Heard learned counsel for the petitioners and the State.

It is submitted by the learned counsel for the petitioners that petitioner nos. 2 and 4 have already been arrested, hence their application has become infructuous which is accordingly dismissed as withdrawn.

The petitioner nos. 1, 3, 5 and 6 are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 447, 448, 341, 342, 323, 354, 354A, 427, 380 of the Indian Penal Code.



It is alleged that the informant woke up when the petitioners were dismantling the hutment of the informant. When co-accused Hirdyanand Shah (non-petitioner) caught the informant, dragged her behind the house and tried to outrage her modesty. On alarm being raised by the informant, the husband of the victim came then petitioner nos. 5 and 6 assaulted the informant. Subsequently accused persons took away the articles from the house of the informant and the accused Hridyanand Shah snatched the payal of the informant.

It is submitted by the learned counsel for the petitioners that accusation of outraging the modesty is against co-accused Hirdayanand Shah. Accusation against petitioner nos. 1, 3, 5 and 6 for assaulting and taking away payal is omnibus and general. There is counter version of the occurrence. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner nos. 1, 3, 5 and 6 be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class,

Gopalganj in connection with Jadopur P.S. Case No. 13 of 2015, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

(Dinesh Kumar Singh, J)

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