

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27437 of 2014

Arising Out of PS.Case No. -278 Year- 2013 Thana -PATORI District- SAMASTIPUR

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1. Basant Rai @ Basant Lal Rai S/o Late Ram Sagar Rai
2. Tinku Rai @ Tinku Kumar Yadav S/o Sri Yashoverdhan Rai Both
residents of village - Imansarai, P.S. - Patory, District - Samastipur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Thakur

For the Opposite Party/s : Mr. Ramshankar Das (Spl.Pp)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 02-02-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147,148,149,323,324,307,379 and 504 of the Indian Penal Code and sections 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The accusation is of making assault to the informant causing injury and abusing by calling the caste name.

It is submitted by learned counsel for the petitioners that in fact the informant made an attempt to establish forceful physical relationship with one Guddi Kumari on 6.8.2013 for which complaint case no. 1604 of 2013 was filed on 7.8.2013

whereas the present case for the occurrence of 6.8.2013 was registered on 8.9.2013. The contention of learned counsel for the petitioners that there is no injury report in the case diary, has not been controverted by the learned APP after going through the case diary. 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 twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Samastipur in connection with Patory P.S. Case No. 278 of 2013 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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