

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57151 of 2015

Arising Out of PS.Case No. -169 Year- 2015 Thana -MAHILA P.S. District- BHOJPUR

- =====
1. Nil Kamal Mahto @ Nil Mahto Son of Ram Yash Singh @ Ram Yash Mahto
2. Ram Yash Mahto @ Ram Yash Singh Son of Late Muni Lal Singh
Both are resident of village- Pratappur, P.S- Sandesh, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Ataul Haque, Advocate

For the Opposite Party/s : Mr. Ambika Bhagat(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-12-2015

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 354, 379/34 of the Indian Penal Code and 3(2) (v) of the S.C./S.T.(Prevention of Atrocities) Act.

The prosecution case is that when informant went outside to ease with his mother, then petitioner no. 1 caught hold the hand of the informant and started pulling. On protest being made, the petitioner no. 1 abused her by calling caste name. On alarm being raise, then neighbour Jasrano Kuer came to rescue, then petitioner no. 2 assaulted her and further snatched away ear ring of the informant.



It is submitted by the learned counsel for the petitioners that for the occurrence of 02.10.2015 the First Information Report was registered on 20.10.2015, which reached to the court of learned Sub-Divisional Judicial Magistrate on 27.10.2015, which suggests that ante-dating First Information Report has been lodged. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent.

Considering the delayed lodging of the case, let the above named petitioners 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 Chief Judicial Magistrate, Arrah in connection with Mahila P.S. Case No. 169 of 2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

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