

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2375 of 2015

Arising Out of PS.Case No. -110 Year- 2013 Thana -BABUBARHI District- MADHUBANI

- =====
1. Md. Kashim @ Kashim Mian Son of Mohan Mian
 2. Rohan Mian @ Rohan S/O Late Panchu Mian
 3. Habib@Md.Habib @ Habib Mian @ Ghuran Mian Son of Rohan Mian
- All are Resident of vill-Agari Nothern Tola,P.S-Babu Barhi,Distt.-
Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Bilash Roy Raman

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 20-01-2015

Heard learned counsels 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, 504, 120B of the Indian Penal Code and
3(1) (x) SC/ST (Prevention of Atrocities) Act.

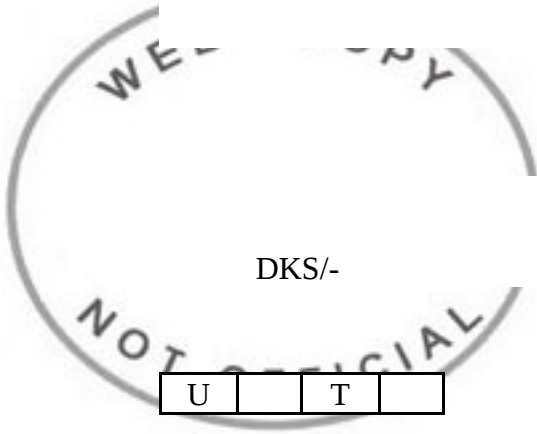


It is alleged that the accused persons came to the courtyard of the house of the informant, snatched the mobile of the son of the informant and thereafter abusing by calling caste name. It is alleged that co-accused Okil Mian snatched silver locket from the neck of the informant. Petitioner Habib Mian snatched the golden nose-pin of the informant and when the daughters of the informant came to save her son they were assaulted by the accused persons including the petitioners.

It is submitted by learned counsel for the petitioners that on conclusion of investigation charge-sheet was submitted under Sections 341, 323, 504, 120B/34 of the Indian Penal Code and 3(1) (x) of SC/ST (Prevention of Atrocities) Act. The occurrence took place for dispute with regard to fishing right. Since admittedly the occurrence took place at the house of informant it cannot be treated to be a place of public view.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory 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, Madhubani in connection with Babu Barhi P.S. Case

No. 110 of 2013, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.



DKS/-

(Dinesh Kumar Singh, J)

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