

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53988 of 2015

Arising Out of PS.Case No. -125 Year- 2015 Thana -CHAURADANO District-
EASTCHAMPARAN(MOTIHARI)

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1. Punyadeo Rai son of Ram Ayodhya Rai
2. Jailal Rai son of Sonalal Rai Both residents of Village - Bela, P.S. -
Chhauradano, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Uma Shankar Pd. Sinh (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 27-11-2015

Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 17,148,149,341,323,324,354,307,379,504 and 506 of the Indian Penal Code and section 27 of the Arms Act.

The prosecution case is that the accused persons came variously armed at the door of the informant. Petitioner no. 2 Jail Lal Rai opened fire upon the informant but it did not cause any injury to the informant but he fell down when all the accused persons assaulted. Thereafter, co accused Raj Kishore Rai assaulted the informant causing head injury. Petitioner no. 1 Punyadeo Rai assaulted the informant with farsa causing head



injury and co accused Randhir Kumar, Chandeshwar Ram and Sonalal Rai tore her clothes and co accused Ram Ayodhya started dragging her in naked condition when Birendra Rai came to rescue co accused Sonalal Rai assaulted with lathi, Kailashi Devi and Jai Devi tore the clothes of Birendra. Petitioner Jailal Rai assaulted the informant with the butt of country made pistol and co accused Randhir Rai took away sixty thousand and co accused Chandeshwar Rai took away two thousand five hundred from the house of the informant.

It is submitted by the learned counsel for the petitioners that the petitioners are agnates of the informant and in the background of land dispute the accusation has been levelled. The injury of the informant side has been found to be simple and the case filed by the petitioners side is at earlier in point of time. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent. It is further submitted that partition suit is pending between the parties and considering the aforesaid facts, co accused Ram Narayan Rai and others have been granted anticipatory bail vide Cr. Misc. No. 47867 of 2015.

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 JM Ist Class, Raxaul, East Champaran at Motihari, in connection with Chhauradano P.S. Case No.125 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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