

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2649 of 2016

Arising Out of PS.Case No. -39 Year- 2015 Thana -MATIHANI District- BEGUSARAI

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1. Ram Naresh Nisad S/o Late Mishree Nisad,
 2. Kapildeo Rai, S/o Late Gita Ray,
 3. Pappu Rai, S/o Late Vishnudeo Rai,
 4. Subodh Rai @ Subodh Kumar, Son of Late Vishnudeo Rai,
 5. Mithilesh Mahto, S/o Late Radhe Mahto,
 6. Sudhir Kumar Rai @ Sudhir Rai @ Sudhir Rai, S/o Tekan Rai,
 7. Dayanand Rai, S/o Ram Kishun Rai,
 8. Tribhuwan Rai, S/o Ram Kishun Rai, null
 9. Jagdeo Ray, S/o Bilat Roy,
 10. Arun Rai, S/o Jagdish Rai, All are resident of village - Rachiyahi, Kachahari Tola, P.S. - Muffasil, District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. S. Eheteshmuddin (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 18-01-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147,148,149,307,341,323,380,384 and 504 of the Indian Penal Code and section 27 of the Arms Act.

The prosecution case is that the accused persons came variously armed to the house of the informant when petitioner no. 3 Pappu Rai and petitioner no. 1 Ram Naresh Nishad started abusing the informant for not making payment of extortion



amount and asked the informant to withdraw the case lodged by him at earlier point of time. When the father of the informant made protest, petitioners Pappu and Subodh assaulted him with the butt of the pistol. It is also alleged that others assaulted with fists and slaps to the father of the informant. Petitioner no. 1 attempted to kill the mother of the informant and snatched her ear rings. Vikas Kumar and Jago Kumar Sharma were also assaulted by petitioner Pappu with the help of petitioner Subodh Rai. It is further alleged that three bicycles were also being taken away by the accused persons.

It is submitted by the learned counsel for the petitioners that the injury caused to the father of the informant is simple. The petitioners side at earlier point of time lodged Matihani P.S. Case No. 178 of 2014 against the informant side. Statement has been made in paragraph 3 of the petition that the petitioners except petitioner no. 3 who is accused in one other case apart from the present one, 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 JM Ist Class, Begusarai in connection with
Matihani P.S. Case No.39 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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