

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11426 of 2016

Arising Out of PS.Case No. -277 Year- 2015 Thana -JOKIHAT District- ARRARIA

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1. Jharilal Mahaldar Son of Late Chulhai Mahaldar
 2. Bably Devi wife of Jharilal Mahaldar
 3. Mangal Mahaldar
 4. Angad Mahaldar
 5. Rajesh Mahaldar All 3 to 5 are sons of Bijen Mahaldar All resident of village Rampur, P.s.- Jokihat, District- Araria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Smt. Shashi Priya Pathak, Adv.

For the Opposite Party/s : Mr. Suman Kumari Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 21-06-2016 Heard both sides.

The petitioners apprehend their arrest in Jokihat (Mahalgaon) P.S. Case No. 277/15, registered for the offence punishable under Sections 341, 323, 354B, 379, 504 and 34 of the Indian Penal Code. Later on, Section 316 and 326 of the Indian Penal Code were added.

The informant made allegation that petitioners and others assaulted the informant and his wife and when Rita Devi sister of the informant came to rescue all the accused persons assaulted her with fists and slaps causing her miscarriage.

Learned counsel for the petitioners submits that there is

a counter version in Jokihat (Mahalgaon) P.S. Case No. 280/15. the victim has stated that mutual scuffle took place between the parties on account of land dispute. No specific allegation is made against any of the petitioners as to who assaulted Rita Devi. Injuries found on the body of informant and others are simple in nature.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Jokihat (Mahalgaon) P.S. Case No. 277/15, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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