

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6751 of 2016

Arising Out of PS.Case No. -86 Year- 2014 Thana -BELCHAR District-
WESTCHAMPARAN(BETTIAH)

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1. Sk. Darood @ Darood Son of Late Sk. Zainul
2. Sk. Bagar @ Bagad S/o Sk. Darood @ Darood
3. Sk. Akhtar S/o Late Sk. Kalim Resident of Village - Purainiya, P.S. -
Balthar, District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhileshwar Kumar Shrivastva

For the Opposite Party/s : Mr. Kr. Ranjit Ranjan(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 15-02-2016 Heard learned counsels for the petitioners, learned
counsel for the informant and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under section 147, 149, 323, 354, 504/34 of the Indian Penal Code.

The prosecution case is that the informant, being a member of Panchayat Samiti, lodged complaint against Mukhiya of Gram Panchayat, Vinod Singh, for taking poor quality of brick for soling of the road. Subsequently, Vinod Singh along with petitioners came, abused the informant, caught her hand, dragged her and assaulted her with fists and slaps.

It is submitted by learned counsel for the petitioners that thrust of accusation is against Vinod Singh and after completion of investigation the police found the case true only under section 504 of the IPC but learned Magistrate differed with the police report and took cognizance under section 354 of the IPC also. It is further submitted that though the petitioner is accused in few cases also but all the cases were lodged by the informant side.

It is submitted by learned counsel for the informant that considering the materials on record, cognizance under section 354 of the IPC has been taken against the petitioners.

The aforesaid facts constitute grounds for consideration of the prayer for regular bail of the petitioners by the learned court below in case the petitioners surrender within six weeks from today in connection with Balthar P.S. case No. 86/14 pending in the court of Sri Jitendra Kumar, learned JM, 1st class, Bettiah.

This application is disposed of with the aforesaid observation/direction.

(Dinesh Kumar Singh, J)

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