

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17920 of 2016

Arising Out of PS.Case No. -168 Year- 2015 Thana -SANDESH District- BHOJPUR

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1. Manoj Choudhary @ Manoj Kumar Choudhary Son of Ram Vilash Choudhary
 2. Baliram Choudhary Son of Ram Vilash Choudhary
 3. Mantoo Kumar Son of Subash Sharma
 4. Sanjai Choudhary Son of Late Krishna Choudhary
 5. Lahrwa Choudhary @ Laraha Choudhary @ Dhananjay Choudhary @ Dhanjay Chaudhary S/o Late Krishna Chaudhary
 6. Ranjeet Kumar Son of Late Krishna Choudhary
 7. Santosh Choudhary @ Santosh Kumar Chaudhary Son of Late Ganga Choudhary
 8. Amit Kumar Son of Santosh Kumar Choudhary
 9. Mithun Kumar Son of Santosh Kumar Choudhary
 10. Samir Kumar Yadav @ Sami Yadav Son of Vishnu Yadav, all resident of Village - Chilhosh, P.S. Sandesh, District - Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Lallan Singh, Advocate
For the Opposite Party/s : Mr. Ambika Bhagat, Spl. P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 05-05-2016 Heard learned counsel for the petitioners and learned
Special P.P. for the State.

Petitioners apprehend arrest in connection with Sandesh
P.S. case No.168 of 2015 for offences alleged under Sections 147,
149, 341, 323, 354, 427, 436, 379, 504, 506 of the Indian Penal
Code and 3(i)(x) of the SC & ST Act.

The prosecution case, as lodged by the Informant, is that
accused Nand Gopal Singh instigated other accused persons to



assault family members of the informant Sugi Devi and ousted them from their house, then the accused persons assaulted them. On 28.10.2015 the informant along with her family members were going to village for casting their vote, but at about 8.50 A.M. all the accused persons stopped the motorcycle and assaulted her mother and accused persons also looted clothes amounting to Rs.30,000/-, cash of Rs.50,000/- and ornaments from the house of the informant by breaking the lock and thereafter they set house on fire after pouring kerosene oil.

It has been submitted by the learned counsel for the petitioners that they are innocent having no criminal antecedent as is evident from paragraph 3 of this application and the allegations are general and not specific. He further submits that no case under Section 3(i)(x) of the SC & ST Act is made out against them and the F.I.R. itself raises suspicion. It has also been submitted that the informant is in the habit of litigating and has filed several cases against the co-villagers and the learned court below has also noted the said fact.

However, learned Special P.P. for the State submits that the petitioners are named in the First Information Report, hence opposes the prayer for bail.

Be that as it may, let the petitioners, above named, in the

event of their arrest or surrender before the court below within a period of eight weeks from today, be released 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, Arrah in connection with Sandesh P.S. case No.168 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Nilu Agrawal, J)

Narendra/-

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