

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20172 of 2016

Arising Out of PS.Case No. -73 Year- 2016 Thana -SARAI RANJAN District- SAMASTIPUR

1. Baidyanath Rai @ Baijnath Rai, S/o Late Kishore Rai,
2. Mukesh Rai S/o Ram Swaroop Rai,
3. Rajesh Rai s/o Baidyanath Rai all resident of Village- Bajidpur (Meyari)
P.S.- Sarairanjan, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh

For the Opposite Party/s : Mr. Bharat Lal (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-05-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 307, 354(B)/34 of the Indian Penal Code.

The prosecution case is that the informant was informed by his daughter that petitioners and 10-12 other persons are assaulting the wife and daughter of the informant. On receiving such information, the informant reached to his house when the accused persons started assaulting the informant. Petitioner No.1 assaulted the daughter of informant with iron Khanti on her head. Thereafter, the petitioners and co-accused Shambhu Rai took the wife of informant in a room and tried to ravish her but the

villagers came and the accused persons escaped from the scene.

It is submitted by the learned counsel for the petitioners that petitioners are neighbours and injuries of the daughter and wife of informant have been found to be simple in nature and even assuming the accusation no case under Section 354(B) of the IPC is made out. Petitioners Nos. 1 and 2 have no criminal antecedent. Though, petitioner No.3 is accused in one other case but he is on bail in that case. There is counter version of the occurrence.

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 Sarairanjan P.S. case No. 73 of 2016 pending in the court of Sri Sankarh Chandra, learned JM, 1st class, Samastipur.

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

(Dinesh Kumar Singh, J)

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