

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21935 of 2016

Arising Out of PS.Case No. -98 Year- 2015 Thana -NAUTAN District- SIWAN

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1. Vikash Dubey, son of Harendra Dubey
 2. Pankaj @ Malhotra Dubey @ Pankaj Dubey, son of Krishnakant Dubey.
 3. Kamlesh Dubey son of Late Sheoji Dubey
 4. Praveen Dubey, son of Kalindra Dubey
 5. Guddu Mishra son of Vinod Mishra.
 6. Harendra Dubey, son of Sheojee Dubey. All Resident of village-Sahpur, Police Station- Nautan, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad

For the Opposite Party/s : Mr. Sadanand Paswan (Spl. Pp)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 27-06-2016 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case instituted under Sections 341, 323, 353, 354(B), 379, 427, 504 and 34 of the Indian Penal Code and Section 3(i), (xi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the petitioners is that they came, objected filling of land and assaulted the complainant and his family members. They also damaged the papers of Anganbari Centre and took away golden chain amounting to Rs.27,000/-.

It is submitted on behalf of the petitioners that they have falsely been implicated in the present case. The complaint case was filed after delay of six days from the date of occurrence. No explanation for such delay has been made from the side of the prosecution. It is a case and counter case between the parties.

Injury sustained on the accused side, has not been explained by the prosecution.

On behalf of the State, it is submitted that petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan, in connection with Nautan P.S. Case no. 98 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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