

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4042 of 2016

Arising Out of PS.Case No. -149 Year- 2015 Thana -BIHARIGANJ District- MADHEPURA

- =====
1. Rabindra Kumar Yadav @ Rabindra Yadav Son of Ramesh Yadav, null
2. Md. Jallaluddin Son of Allauddin,

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Gulnar Begum(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-01-2016 Heard learned counsels for the petitioners and the

State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 447, 341, 323, 324, 307, 380, 506, 354B of the Indian Penal Code.

Prosecution case is that co-accused Murli Purbe and July Kumari were carrying fire wood from the door of the informant when the father and aunt of the informant made protest then both started scuffling. In the meantime, co-accused Murli Purbe assaulted with iron rod to the father of the informant and co-accused Subha Purbe, Santosh Poddar and Phool Chand Das assaulted aunt of the informant namely Bibi Gulshan Khatoon with slaps and dragged her, as a result she became naked. Co-

accused July Kumari assaulted wife of the informant with bricks on her head. It is further alleged that co-accused Ramesh and his three sons took away clothes and cash of Rs.10,000/- containing in a box whereas co-accused Bhagwan Pandit took away ornaments worth Rs.25,000/- from the house of Bibi Gulshan Khatoon.

It is submitted by learned counsel for the petitioners that for petty dispute the accusation has been levelled. There is counter version of the occurrence being Bihariganj P.S. Case No.150/2015 registered under sections 147, 148, 149, 447, 341, 323, 324, 307, 379, 380, 354B/504 of the Indian Penal Code against the informant of the present case. The injuries have been found to be simple. Furthermore, the specific accusation has not been levelled against petitioner no.2. It is alleged against petitioner no.1 that he took away articles and cash from the house of the informant. Moreover, the main assailant has been granted anticipatory bail by a co-ordinate Bench of this Court vide Criminal Miscellaneous No. 55128/2015. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail, in the event of arrest

or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Udakishanganj (Madhepura) in connection with Bihariganj P.S. Case No.149/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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