

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1619 of 2016

Arising Out of PS.Case No. -322 Year- 2015 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

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1. Ravi Raj Kumar @ Ravi Raj son of Arun Singh
2. Rahul Kumar son of Arun Kumar
3. Arun Singh son of Late Yamuna Singh
4. Kiran Devi wife of Arun Singh all are residents of Village - Basant Pur,
P.S. - Muffasil, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava

For the Opposite Party/s : Mr. Uday Chand Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-01-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341,323,307,379 and 504/34 of the Indian Penal Code.

The prosecution case is that one Rahul Kumar committed theft of bicycle of the informant which was seen by the father of the informant. When the informant went to the house of Rahul to make complain then petitioner no. 3 Arun Singh assaulted with iron rod on the head of the informant whereas his sons Rahul, Ravi Raj and Kiran Devi came and started abusing the informant. The informant's father and brother came to rescue

when the accused persons also assaulted them. It is alleged that petitioner no. 3 Arun Singh snatched gold chain, co accused Rahul started pressing the neck of the informant and Kirna Devi took out one thousand five hundred rupees from the pocket of the informant.

It is submitted by the learned counsel for the petitioners that at earlier point of time the petitioner no. 3 lodged Motihari Mufassil P.S. Case No. 321 of 2015 levelling accusation under sections 341,323,324,307,379,504 and 506/34 IPC against the informant side. The petitioners are agnates of the informant and due to partition dispute the accusation has been levelled. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the omnibus and general accusation against petitioner nos. 1,2 and 4, let the above named petitioner nos. 1,2 and 4 be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, East Champaran at Motihari in connection with Motihari Mufassil P.S. Case No.322 of 2015 subject to the conditions as laid down under Section 438(2)

Cr.P.C.

So far as petitioner no. 3 Arun Singh is concerned, let the learned court below consider the prayer for regular bail of the petitioner no. 3 in case the petitioner no. 3 surrenders within six weeks from today in connection with the aforementioned case pending in the court of learned C.J.M. East Champaran at Motihari.

(Dinesh Kumar Singh, J)

Anil/-

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