

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1750 of 2016

Arising Out of PS.Case No. -293 Year- 2015 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

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1. Meena Devi Wife of Bharat Rai
2. Chandan Rai son of Bharat Rai Both residents of village- Maripur Milik,
P.S.- Madhuban, District- East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Rina Sinha(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 14-01-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341,323,324,307 and 379/34 of the Indian Penal Code.

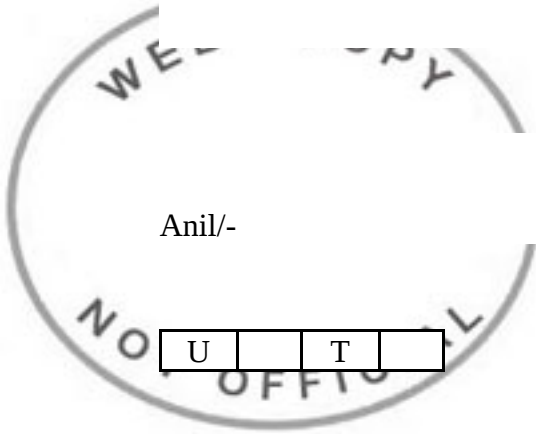
The prosecution case is that co accused Bharat Rai protested for storing construction material on the disputed land when the accused persons came variously armed, Bharat Rai assaulted with lathi to the informant whereas Rajesh assaulted with sword on the arm of the informant. On alarm being raised the daughter of the informant Puja Kumari and wife Girija Devi came to rescue when they were being assaulted by petitioner nos. 1,2 and co accused Kundan Rai. It is also alleged that Bharat Rai

and petitioner no. 1 took out rupees twenty five thousand and jewellery worth rupees forty thousand from the house of the informant. Co accused Kundan and Chandan put the house of the informant on fire.

It is submitted by the learned counsel for the petitioners that co accused Bharat is the own brother of the informant, petitioners are wife and son of Bharat and in the background of property dispute the accusation has been levelled. The injuries of Puja and Girija Devi to whom it is alleged that petitioners along with co accused Kundan assaulted, have been found to be superficial simple in nature. There is counter version of the occurrence and the case has not been registered under section 436 IPC. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the genesis of the occurrence and the nature of injury coupled with the counter version of the occurrence, 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 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 ACJM, East Champaran at Motihari in connection with Madhuban

P.S. Case No.293 of 2015 subject to the conditions as laid down
under Section 438(2) Cr.P.C.



(Dinesh Kumar Singh, J)