

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4979 of 2016

Arising out of PS. Case No. -275 Year- 2015 Thana -KALYANPUR District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Anil Das, S/o Fulena Das,
 2. Shambhu Das, S/o Kapal Das,
 3. Chandrika das, S/o Sakal Das,
 4. Mithlesh Das, S/o Prakash Das,
 5. Jagdish Das, S/o Suraj Das,
 6. Rajesh Das, S/o Sakal Das, all are resident of Village- Devpur, Parsa,
P.S. Kalyanpur, District East Champaran, Motihari

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance:

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
For the Opposite Party/s : Mr. I. Mahmood (APP)

=====

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 17-03-2016

Heard Mr. Sharda Nand Mishra, learned counsel for the petitioners, counsel for the State and Mr. Amrendra Kumar, learned counsel for the informant.

The petitioners apprehend their arrest in connection with Kalyanpur P.S. Case No. 275 of 2015 for offences punishable under Sections 147, 148, 149, 342, 323, 325, 307, 380, 440, 504 and 506 of the Indian Penal Code.

Mr. Mishra, learned counsel for the petitioners with reference to an FIR bearing Kalyanpur P.S. Case No. 229 of 2015, submits that it is after the institution of the FIR against the husband of the informant which has given shape to the present case. Adverting to the allegations made in the FIR he submits that

the charges of assault is omnibus and even the allegation regarding decamping with cash and jewellery is ornamental and is made to attach seriousness to the allegation. He submits that the present case is a retaliation to the case filed by the petitioners.

The prayer for bail is vehemently opposed by the counsel for the informant.

Having heard learned counsel for the parties and considering the submissions, let the petitioner no. (1) Anil Das; petitioner no. (2) Shambhu Das; petitioner no. (3) Chandrika Das; petitioner no. (4) Mithlesh Das; petitioner no. (5) Jagdish Das; and petitioner no. (6) Rajesh Das in the event of their arrest or surrender within four weeks from today be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Sri R.S. Pandey, Judicial Magistrate (Sadar), East Champaran, Motihari in connection with Kalyanpur P.S. Case No. 275 of 2015 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Jyoti Saran, J)

S.Sb/-

U		T	
---	--	---	--