

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2599 of 2016

Arising Out of PS.Case No. -614 Year- 2015 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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1. Anant Rai Son of Baidyanath Rai,
2. Sharwan Rai, Son of Late Binda Rai,
3. Karan Rai,
4. Arjun Rai, Both sons of Late Mohan Rai, All residents of Mohalla -
Gyanbabu Chowk, P.S. - Motihari Town, 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. Sadanand Paswan (Spl. Pp)

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

ORAL ORDER

2 18-01-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Section 341, 323, 324, 447, 427, 34 of the Indian Penal Code and under section 3(x) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act.

The prosecution case is that the accused persons came and demolished the boundary wall of the informant. Thereafter, on the order of Lalan Rai, petitioner No.1, Anant Rai, assaulted the informant with Farsa and all other accused persons assaulted the informant with fists and slaps.

It is submitted by the learned counsel for the petitioners that only one sharp cut injury, simple in nature, has been found on the informant and in the background of serious land dispute the

accusation has been labelled. A Title Suit No. 517 of 2015 is pending between the parties. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the specific accusation against petitioner No.1, Anant Rai, let the learned court below consider the prayer for regular bail of the petitioner No.1 in case he surrenders within six weeks from today in connection with Motihari Town P.S. case No. 614 of 2015 pending in the court of learned C.J.M., Motihari, East Champaran.

Considering the fact that accusation against petitioners No.2, 3 and 4 are omnibus and there is serious land dispute between the parties, let the above named petitioners No. 2, 3 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) with two sureties of the like amount each to the satisfaction of learned CJM, Motihari, East Champaran in connection with Motihari Town P.S. Case No. 614 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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