

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7071 of 2016

Arising Out of PS.Case No. -74 Year- 2015 Thana -HARIJAN PS. District- NALANDA
(BIHARSHARIFF)

- =====
1. Santosh Sharma son of Naresh Sharma.
 2. Naresh Sharma son of Late Firangi Sharma.
Residents of village Gogaripar, Police Station Manpur, District Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Sadanand Paswan (Spl.Pp)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 16-02-2016

Heard learned counsels for the petitioners

and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 323, 341, 504, 506, 379/34 of the Indian Penal Code and 3(1) (x) of SC/ST (Prevention of Atrocities) Act.

The prosecution case is that the accused persons came to the house of the informant on 03.06.2015 at 6.00 P.M. abused by calling caste name and pressurized the informant to withdraw the earlier case lodged by the wife of the informant being Manpur P.S. Case No. 54 of 2015. When the wife of the informant came to rescue petitioner no. 1 Santosh

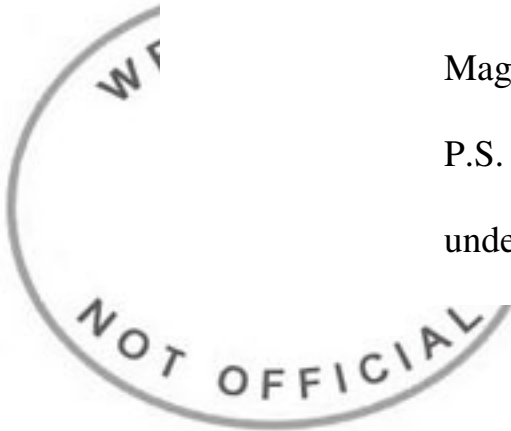


Sharma caught hold her hand, dragged her inside the house and pushed her down on the ground. It is further alleged that when Bhola Paswan came to rescue petitioner no. 2 Naresh Sharma snatched gold chain from the wife of the informant and abused by calling caste name. It is further alleged that petitioner no. 1 Santosh Sharma tried to strangle the informant and took out Rs.30,000/- from his pocket.

It is submitted by learned counsel for the petitioners that with similar accusation earlier case being Manpur P.S. Case No. 54 of 2015 was lodged by the informant's wife wherein petitioners have been granted bail and after that the present case has maliciously been lodged. For the occurrence of 03.06.2015 the complaint was filed on 05.06.2015 which came to be registered as police case on 03.07.2015. Apart from the case lodged by the informant side the petitioners have no criminal antecedent.

Considering the delayed lodging of the case and the accusation being levelled in the background of litigated relationship between the parties, 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 bonds of

Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Harijan P.S. Case No. 74 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



(Dinesh Kumar Singh, J)

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