

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16571 of 2016

Arising Out of PS.Case No. -232 Year- 2015 Thana -DHAKA District-
EASTCHAMPARAN(MOTIHARI)

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1. Sudhir Tiwari
2. Nawal Tiwari Both sons of Sambhu Tiwari
3. Subodh Kumar@Subodh Patel Son of lalan Patel
All resident of Village -Naya tola, Police station Dhaka, District East
Champanan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Ram Shankar Das(Spl.App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 09-08-2016 Heard learned counsel for the petitioners

and learned counsel appearing on behalf of the

State.

Petitioners apprehend their arrest in
connection with Dhaka P.S. Case No. 232 of 2015
for the offences registered under Sections 147, 148,
149, 504, 341, 506, 323, 448, 379 of the Indian
Penal Code and Section 3(X)(XV) of the SC/ST Act.

In the present case, case dairy was called
for, which has since been received.

Learned counsel for the petitioners submits
that no case under the SC/ST Act is made out



against these petitioners as admittedly the occurrence took place at the doorstep of the informant and not otherwise. It is further submitted that the injury, purported to have been inflicted on the person of the husband of the informant, has been found to be simple in nature.

It appears from perusal of the case dairy that there is no evidence to show that the house of the informant was burnt. Furthermore, there is also no injury found on the person of the informant or her daughter as has been alleged in the FIR. Moreover, there is history of litigation between the parties and it has come on record that the informant's side is trying to put pressure on the petitioner's side for withdrawing the certain case filed by them earlier.

Considering the aforesaid facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 Sub-Divisional Judicial Magistrate, Sikrahana at Dhaka, East Champaran in connection with Dhaka P.S. Case No. 232 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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