

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17606 of 2016

Arising Out of PS.Case No. -273 Year- 2015 Thana -SHEKHPURA COMPLAINT CASE District-
SEKHPURA

- =====
1. Md. Kamal Mian S/o - Late Ansarul Mian R/o Village - Ramjanpur, P.S. - Barbigha in the district of Sheikhpura.
 2. Nanhul Mian S/o - Faku Mian R/o Village - Murgiyachak, P.S. Sare in the district of Nalanda.

.... Petitioners

Versus

1. The State of Bihar.
2. Manju Devi Wife of Paiyaru Paswan Resident of Village - Ramjanpur, P.S. - Barbigha, District - Sheikhpura.

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Sanjeev Kumar, Advocate.
For the Opposite Parties : Mr. Ambika Bhagat(Spl.App)
For the Informant : Mr. Bipin Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 01-09-2016 Heard both sides.

The petitioners apprehend their arrest in Complaint Case No. 273 C of 2015 registered for the offences punishable under Sections 323, 341, 379, 504, 506 and 34 of the Indian Penal Code and Sections 3(i)A(r)(s) of the SC/ST Act.

The complainant made allegation that she was going to her Naihar when she reached in between Samas and Ramjanpur the petitioners came on motorcycle stopped the motorcycle began to abuse the complainant by naming her caste. The informant also alleged that the petitioners told that your son is taking side of Lalan Mian they will kill him and snatched ornaments from possession of the complainant.

Learned counsel for the petitioners submits that on bare

perusal of the complaint petition, it appears that the complainant has filed the complaint case after concocting the story. The complainant has alleged that the occurrence took place only because her son was taking side of Lallan Mian, therefore, the allegation with regard to humiliating the complainant by naming her caste is not worth reliable. It is further submitted that the petitioners of course got criminal antecedent but they deserve anticipatory bail.

On the other hand learned Spl. PP and learned counsel for the informant vehemently opposed the prayer for anticipatory bail of the petitioners.

Perused the records and report, it appears that the complainant has alleged that the petitioners abused her on a road while she was going to her parents house and also snatched her ornaments. The petitioners have also got criminal antecedent and as many as four criminal cases are pending against them.

Considering the facts, I am not inclined to enlarge the petitioners above named on anticipatory bail in Complaint Case No. 273 C of 2015, pending in the court of Additiional Chief Judicial Magistrate, Sheikhpura. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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