

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20414 of 2016

Arising Out of PS.Case No. -4 Year- 2015 Thana -SC/ST District- BANKA

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1. Janson @ Rahul Amin @ Jonsan @ Ruhul Amin, son of Nur Alam
 2. Bibi Asarfun Nisha, wife of Nur Alam Both are residents of Mohalla-Shantinagar, Jamil Lodge, P.S.- Banka, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Nurul Hoda
For the Opposite Party/s : Mr. Ambika Bhagat (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-05-2016

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 379, 448, 307, 504, 506/34 of the Indian Penal Code and Section 3(1)(x) of the SC & ST (Prevention of Atrocities) Act.

The prosecution case is that the accused persons came to the door of the informant and started abusing by calling caste name. It is alleged that petitioner No. 1 entered into the house of the informant and started assaulting the daughter of the informant namely Gunjan Kumari and when the informant tried to save her then petitioner No. 1 assaulted with scissor which caused cut injuries on the hand and left palm of the daughter of the informant. Petitioner No. 2 is alleged to have snatched gold chain from the neck of the daughter of the informant.

It is submitted by learned counsel for the

petitioners that petitioners are neighbours and for a petty dispute the accusation has been levelled. There is counter version of the occurrence. Moreover there is no injury report on record of the daughter of the informant and the injury with regard to the informant has been found simple in nature. The petitioners have also received injuries and the occurrence took place in the house of the informant which can not be treated a place of public view.

Considering the nature of accusation and there being counter version of the occurrence, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Banka SC/ST P.S. Case No. 04 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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