

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47709 of 2015

Arising Out of PS.Case No. -91 Year- 2015 Thana -VIDYAPATINAGAR District- SAMASTIPUR

- =====
1. Ram Kumar Rai @ Raj Kumar Rai
 2. Chunchun Kumar @ Chunchun Rai both are sons of Shree Boudhi Rai
Resident of village - Hatimpur, P.S. - Vidyapatinagar, District - Samastipur.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Abhay Shankar,
Mr. Amit Kumar Mishra, Advocates
For the State : Mr. Kalyan Shankar, A.P.P.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

4 09-03-2016 Heard learned counsel for the petitioners and

the State.

Petitioners apprehend their arrest in a case
filed under Sections 448, 354, 342, 323, 506/34 of the
Indian Penal Code.

It is contended on behalf of the petitioner that,
as per the allegation in the first information report, both the
petitioners had assaulted the informant, Kranti Kumari,
however, there is allegation against petitioner no.1 that he
tried to remove the cloth of the informant.

Learned counsel for the petitioners contends
that vital information was suppressed in the first information



report that informant and the petitioners are cousins and there was altercation between two groups of kids and on that the petitioners allegedly assaulted the informant by lathi etc. He further submits that in the further statement of Kranti Kumari, she has not stated that the petitioner no.1 tried to remove the cloth but she has stated only that he asked to remove the cloth and in the meantime, he went to bring lathi to assault her, however, she has also admitted that there was altercation between the two groups of kids of the same family. This fact stands corroborated by further statement of the mother of the informant and other witness as well as the independent witnesses who have gone to say that the altercation took place in view of the fact that informant Kranti Kumari had abused by taking the name of the grandfather.

Having regards to the facts and circumstances of the case, in the event of arrest/surrender within a period of six weeks from today in Vidyapatnagar P.S. Case No.91 of 2015, the above named petitioners, Ram Kumar Rai @ Raj Kumar Rai and Chunchun Kumar @ Chunchun Rai shall be released on bail on furnishing bail bonds of Rs.10,000(Ten Thousand Rupees) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Dalsingsarai, Dist- Samastipur

subject to the conditions as laid down under sub-section(2) of
Section 438 of the Code of Criminal Procedure

(Dr. Ravi Ranjan, J)

Sanjay-II/-

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