

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57951 of 2015

Arising Out of PS.Case No. -119 Year- 2015 Thana -KADWA District- KATIHAR

1. Billu Sharma Son of Prasadi Sharma,
2. Mithun Sharma, Son of Kartik Sharma,
3. Gujara Sharma, Son of Kartik Sharma, All are resident of village -
Mohammadpur, P.S. - Kodwa, District - Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shobha Nath Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-01-2016

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 341, 323, 324, 325, 447, 504, 506 of the Indian Penal Code and 3(1) (x) (xv) of the S.C./S.T.(Prevention of Atrocities) Act.

The prosecution case is that the accused persons came to the courtyard of the informant and started abusing by calling caste name. The accused persons threatened the informant to remove his house from the land.

It is submitted by the learned counsel for the petitioners that for the occurrence of 22.08.2015 at 7.00 A.M.

the First Information Report was registered on 23.08.2015 at 9.30 P.M. No injury has been caused to the informant. Statement to that effect has been made in para-8 of the petition which reads as follows:-

“That the allegation of assaulting the informant is false and concocted, since no injury has been found on the body of the informant.”

Statement has been made in para-3 of the petition that petitioners have no criminal antecedent. Moreover, the occurrence took place in the courtyard of the informant which cannot be treated to be a place of public view.

Considering the aforesaid facts, let the above named petitioners be released on bail in the event of their 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 Additional Chief Judicial Magistrate, Katihar in connection with Kadwa P.S. Case No. 119 of 2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

P.K./-

U		T	
---	--	---	--