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IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3234 of 2016

Arising Out of PS.Case No. -61 Year- 2015 Thana -SC/ST District- PURNIA

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1. Kaushal Kishore Singh @ Kaushal Yadav S/o Late NathanYadav, Residentof Village - Amari Kukraun,P.S. - Dhamdaha, District - Purnea.
2. Sushil Kumar Mahto @ Sushil Mahto, S/o Medi Mahto,
3. Medi Mahto @ Bhedi Mahto @ Maidi Mahto, S/o Late Ganeshi Mahto,
4. Kare Lal Mahto, S/o Late Amrit Mahto,

All 2 to 4 resident of village - Sanjha Ghat, Baishakhi Tola, P.S. – Meerganj, District - Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

03/ 28-01-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 448, 341, 323, 354, 379, 504 and 506/34 of the Indian Penal Code and 3(1)(x) of SC/ST (Prevention of Atrocities) Act.

The prosecution case is that on 31.10.2015

the accused persons including the petitioners entered into the house of the informant at the time of the daughter-in-law of the informant was in the house when the petitioners took away a box containing Rs.10,000/-, ornaments worth Rs.30,000/- and papers related to land. On protest being made by daughter-in-law of the informant all the petitioners assaulted the daughter-in-law of the informant with lathi, danda, fists and slaps and abused by calling caste name. Subsequently, some panchayati took place where the petitioners agreed to return the articles taken by them but they did not return the same, hence the case was lodged on 09.11.2015.

It is submitted by learned counsel for the petitioners that for the occurrence of 31.10.2015 the FIR was registered on 09.11.2015 and earlier complaint was filed by the informant with similar accusation being Complaint Case No. 3367 of 2015 for the occurrence of 03.09.2015 and 13.09.2015.

Considering the delayed lodging of the case, it is a case for consideration of prayer for regular bail, if the petitioners surrender before the learned court below within a period of six weeks from today in connection with Purnea SC/ST P.S. Case No. 61 of 2015 pending in the court of learned Sub-Judge-VI –cum- Additional Chief Judicial Magistrate,

Purnea.

With the aforesaid observation, this application is disposed of.

(Dinesh Kumar Singh, J)

DKS/-

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