

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20356 of 2016

Arising Out of PS.Case No. -184 Year- 2015 Thana -CHAURADANO District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Raj Mangal Rai
2. Ram Niwash Rai Both sons of Late Dhenukh Rai
3. Chittaranjan Rai @ Chitranjan Rai
4. Subodh Kumar @ Subhash Kumar
5. Naveen Kumar All Sons of Raj Mangal Rai All residents of village -
Pachpokhariya, P.S. Mahuawa/Chhauradano, District - East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

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

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 11-05-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 354, 379, 504 of the Indian Penal Code and under sections 3(1) (x) (xi) of the SC/ST Act.

The prosecution case is that petitioner No.1, Raj Mangal Rai and petitioner No.2, Ram Niwash Rai assaulted the informant with shoes whereas other accused persons assaulted him with Lathi, kick, fists and slaps and snatched Rs. 500/-. It is further alleged that the accused persons snatched nose pin and other jewellery of the wife of informant.



It is submitted by the learned counsel for the petitioners that in the background of land dispute the accusation has been levelled. There are 144 and 145 proceedings initiated between the petitioners and Kailash Singh wherein Cr. Rev. No. 180 of 1996 is still pending and the said Kailash Singh set up the informant to lodge this false case. The informant is under raiyat of Kailash Singh who got the crop grazed of the petitioners and on protest being made Panchayati was held thereafter the present case has been lodged.

Considering the specific accusation of assault against petitioner No.1, Raj Mangal Rai and petitioner No.2, Ram Niwash Rai, let the learned court below consider the prayer for regular bail of the petitioners No.1 and 2 in case they surrender within six weeks from today in connection with Mahuwa (Chhauradano) P.S. case No. 184 of 2015 pending in the court of learned SDJM., Raxaul, Motihari, East Champaran.

This application is disposed of with the aforesaid observation/direction.

Considering the aforesaid facts, let the above named petitioners No. 3, 4 and 5 be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of

Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Raxaul, Motihari, East Champaran in connection with Mahuawa (Chhauradano) P.S. Case No. 184 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

BKS/-

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