

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33356 of 2016

Arising Out of PS.Case No. -90 Year- 2016 Thana -FALKA District- KATIHAR

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1. Ravindra Thakur @ Guddu Thakur
 2. Dharmendra Thakur @ Laddu Thakur Both sons of Birendra Thakur
 3. Birendra Thakur S/o Hiralal Thakur
 4. Meena Devi W/o Birendra Thakur all resident of Village- Bharsiya, P.s.- Falka, Dist- Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Mandal

For the Opposite Party/s : Mr. Sri Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 24-08-2016 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Falka P.S. Case No.90 of 2016 arising out of Complaint Case No. 3004 of 2015 registered under Sections 323, 504, 452, 380, 354 of the Indian Penal Code and 3, 4 of the Prevention of Witchcraft Act.

The accusation is that petitioner nos. 1 and 2 came at the Bari of the complainant/informant Urmila Devi and cut the Mango, Sisam and Sagwan trees causing damaged of Rs. 25,000/-. At that time, petitioners also damaged thatched of the *Bari*. When she made protest then petitioners threw garbage in her *Bari* and

the she was also assaulted by them.

Learned counsel for the petitioners submits that due to dispute of passage, the occurrence took place but with ulterior motive, the informant Urmila Devi has lodged the present case with false allegations.

Having considered the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the A.C.J.M.-V, Katihar in connection with Falka P.S. Case No. 90 of 2016 arising out of Complaint Case No. 3004 of 2015, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Rajendra Kumar Mishra, J)

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