

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16536 of 2016

Arising Out of PS.Case No. -4 Year- 2016 Thana -SC/ST BAGHA District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Ajay Tiwari, S/o Late Sitaram Tiwari
 2. Bittu Tiwari @ Bithu Kumar S/o Ajay Tiwari
 3. Kiran Devi Wife of Ajay Tiwari
 4. Neha Kumari, D/o Ajay Tiwari Both resident of Village- Parsotipur @ Parsotimpur, Police Station- Majhauliya, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Adya Singh

For the Opposite Party/s : Mr. Ambika Bhagat (Spl.App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 13-05-2016 Heard both sides.

The petitioners apprehend their arrest in Bettiah P.S. Case No. 04/2016, registered for the offences punishable under Sections 341, 323, 354, 379, 504, 34 of the Indian Penal Code and Section 3(i)(x)(xi) S.C./S.T. Act.

The informant alleged that on 02.02.2016 her daughter and son were sowing Haldi in the field of the petitioner; the petitioners assaulted them as due to mistake the branch of litchi was cut. Next morning when she went to the house of petitioners then the petitioners and others assaulted her and her husband and also torn her blouse and snatched Rs. 2000/-.

It is submitted that the petitioners did not assault the informant and her husband. The occurrence is said to have taken place on 02.02.2016, but the F.I.R. was lodged on 16.02.2016. The informant and the petitioners are co-villagers. The petitioners had earlier lodged Majhauria P.S. Case no. 28/2016 on 02.02.2016 against the informant and her husband Basudeo Ram. Only to save their skin, the present case has been lodged against the petitioners.

Considering the facts aforesaid and the fact that the occurrence took place due to cutting of trees and the informant lodged the case after 14 days of the occurrence, the petitioners, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate Ist Class, Bettiah (West Champaran) in SC/ST in connection with Bettiah P.S. Case No. 04/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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