

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54988 of 2016

Arising Out of PS.Case No. -87 Year- 2016 Thana -MOHAMMADPUR District- GOPALGANJ

- =====
1. Satyendra Rai @ Satyendra Ram, Son of Late Paspal Rai @ Paspal Ram.
 2. Pappu Kumar @ Pappu Kumar Yadav, Son of Satyendra Rai @ Satyendra Ram.
- Both residents of Village- Mahrani Pandui, P.S.- Mahmadpur, District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 22-12-2016 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Mahmadpur P.S. Case No.87 of 2016 registered under Sections 341, 323, 324, 307 and 504/34 of the Indian Penal Code.

The accusation of the informant is that on 13.08.2016 at about 08.30 P.M. in the night when she alongwith her sister-in-law Sangita Kumari had gone outside of the house to attend the call of nature, then Lalita Devi, the wife of the petitioner no.1 flashed torchlight on her. When she made protest, Lalita Devi while abusing started to run to cause assault to her and her sister-



in-law. Thereafter, the informant and her sister-in-law moved from there and came to her house. At that time, Lalita Devi alongwith her husband Satyendra Rai (petitioner no.1), Pappu Rai (petitioner no.2) and others entered the house of the informant and started to abuse and cause assault to the informant and her sister-in-law. In that course, Lalita Devi caused injury at the head of the informant through Daab. On alarm being raised by the informant rushed there, then all fled away from the house of the informant.

Learned counsel appearing on behalf of the petitioners submits that, in fact, the petitioners and the informant are next door neighbours and due to some dispute, the alleged occurrence took place in which the informant fell down on the earth and sustained injury, which is said to be caused by Lalita Devi, the wife of the petitioner no.1. Further submission is that while it is alleged that the petitioners were present at the house of the informant at the time of the alleged occurrence but no specific overt act is attributed to the petitioners. Moreover, the injuries, as found on the person of the informant, are of simple in nature caused by hard and blunt substance.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on



bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gopalganj, in connection with Mahmadpur P.S. Case No.87 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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