

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45955 of 2015

Arising Out of PS.Case No. -233 Year- 2015 Thana -BEGUSARAI COMPLAINT CSAE District-
BEGUSARAI

- =====
1. Bhubneshwar Tanti Son of Late Ramotar Tanti
 2. Pawan Tanti son of Bhubneshwar Tanti
 3. Ram Pravesh Tanti @ Karka Tanti son of Bhubneshwar Tanti
 4. Shiv Ram Thakur son of Late Raja Ram Thakur
 5. Balram Thakur son of Late Raja Ram Thakur
 6. Ashok Thakur son of Late Raja Ram Thakur All resident of village-
Phulkari, P.S.- Birpur, District- Begusarai.

.... Petitioners

Versus

1. The State of Bihar.
2. Sugiya Devi, daughter of Late Ram Roop Sada, resident of village
Phulkari, P.S. Birpur, District Begusarai.

.... Opposite Parties

=====

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate
For the Opposite Party/s : Mr. Ram Shankar Das (Spl.Pp)

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 01-02-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection with Complaint Case No.233(c) of 2015 for the offences instituted under Sections 323 and 379 of the Indian Penal Code and Section 3(1)(x) of SC/ST Act.

The prosecution story, in brief, is that on 9.9.2013 at about 8.00 a.m. Bhubneshwar Tanti 2- Pawan Tanti 3- Ram Prakash Tanti 4- Shiv Ram Thakur 5- Balram Thakur and 6- Ashok Thakur came over the land of Rajmani Devi which was



under care and cultivation of brother of Complainant Sugiya Devi, and started construction over the land. Informant said that this land is of her lord Pramod Singh, why are you constructing there, then they came to emotion and told Shali Mushaharni this is our land and we will know then she told that she looks after and cultivate the land and all these accused petitioner with a common intention abused and assaulted her. They also tore Sari and blouse. She raised alarm then Sita Ram Sada, Arvind Singh, Ramdeo Sada, lukho Sada, Ram Adhar Singh came there and intervene. Shiv Thakur took away her ear-ring worth Rs.-10,000/- and they told if your will complain before the police, they will kill all the family members.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. It is further submitted that the petitioner has been falsely been implicated in the case due to land dispute between the parties. The police after investigation submitted final form in the present case. No offence under Section SC/ST Act is made out as the same has not taken place in the public view. The rest of the allegation is superficial in nature. Hence, the police had found the case to be false against the petitioners.

On behalf of the State, it is submitted that the

petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Begusarai, in connection with Complaint Case No.233 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

N.H./-

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