

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45018 of 2015

Arising Out of PS.Case No. -18 Year- 2014 Thana -DHAMDHAHA District- PURNIA

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1. Manjula Devi W/o Late Dev Narayan Mahto
 2. Poonam Devi W/o Dinesh Mahto, both Resident of village- Dhamdaha Dakshin Tola, P.S.- Dhamdaha, Distt.- Purnea

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Mallick, Advocate

For the Opposite Party/s : Mr. Madan Kumar(APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 24-02-2016 Heard learned counsel for the petitioners and learned
A. P.P. for the State.

Petitioners apprehend their arrest in connection with
Dhamdaha P.S. Case No. 18 of 2014 registered for offences
punishable under Sections 147, 148, 149, 323, 504, 436 and 452 of
the Indian Penal Code.

As per the prosecution case, allegation against the
petitioners and others is that they having deadly weapons forming
an unlawful assembly, entered into the house of the complainant-
informant and started assaulting and abusing the complainant-
informant. It is further alleged that on 27.12.2013 on the order of
co-accused Ganeshi Thakur, co-accused Ajay Poddar and Ratnesh
poured kerosene oil, Manjula Devi brought match and Poonam

Devi set the dwelling house of the complainant-informant on fire. Having seen the fire, neighbourers gathered there and saved the house of the complainant-informant. Seeing the villagers, accused persons fled away. In the occurrence, several house hold articles were burnt into ashes.

It has been submitted by the counsel for the petitioners that petitioners are innocent and have falsely been implicated due to village politics. It has further been submitted that there is dispute with regard to boundary wall between the petitioners and the informant side, who are next door neighbours, which has been supported by the independent witnesses. Counsel for the petitioner further submits that petitioner no.1 had filed Complaint Case No. 567 of 2013 against the complainant-informant and others regarding same altercation and also the land dispute between the petitioners and the complainant-informant. Furthermore, learned counsel for the petitioners submits that although the date of occurrence is 27.12.2013, but the complaint case has been lodged on 10.01.2014, after inordinate delay.

Learned counsel for the informant, on the other hand, submits that the petitioners are named in the First Information Report.

Be that as it may, let petitioners, above named, in the

event of their arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand only) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Purnia in connection with Dhamdaha P.S. Case No. 18 of 2014, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

(Nilu Agrawal, J.)

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