

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21748 of 2016

Arising Out of PS.Case No. -30 Year- 2015 Thana -SC/ST BAGHA District-
WESTCHAMPARAN(BETTIAH)

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1. Lagan Rai S/o Late Jagan Rai
2. Rambha Devi W/o Lagan Rai Both are resident of village - Rampur (Check Nakha) Police Station Laukaria, District - West Champaran at Bettiah

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Yadav

For the Opposite Party/s : Mr. Sadanand Paswan(Spl.App)

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

3 21-07-2016

Heard both sides.

The petitioners apprehend their arrest in a case under Section 354(B) and some other sections of the Indian Penal Code and under Section 3(1) (x) (xi) of SC/ST Act.

The informant alleged that on 21.06.2015 she went to her field and saw that she-goat of Lagan Rai was grazing her paddy crops then she caught the she-goat. Thereafter, Lagan Rai and others came there and began to abuse her by naming her caste and also tried to outrage her modesty.

It is submitted that police after investigation submitted charge sheet under Section 323 of the IPC and under Section 3(1) (x) (xi) of the SC/ ST Act. No fracture injury was found on the leg of husband of informant. The occurrence is said to have taken place on 21.06.2015 but the FIR was lodged on

02.07.2015, i.e., after two weeks of the occurrence. There is counter version being Lauria P.S case No. 51 of 2015 lodged on 22.06.2015 with regard to the same occurrence.

Considering the fact that there is case and counter case and from the side of the petitioners the case was lodged immediately after the occurrence whereas the present case was lodged after two weeks of the occurrence, the above named petitioners, in the event of their arrest or surrender before the learned 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) with two sureties of the like amount each to the satisfaction of Sri R. K. Singh, learned Judicial Magistrate, 1st class, Bagaha, West Champaran in Bagaha Scheduled Caste and Scheduled Tribe P.S. Case No. 30 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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