

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.61491 of 2017

Arising Out of PS. Case No.-106 Year-2017 Thana- MUFFASIL District- Aurangabad

1. Sunil Nut
2. Anil Nut @ Modi Both are sons of Tunna Nut All are residents of Village - Paruki, P.S. - Aurangabad (M), Distt. - Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh

For the Opposite Party/s : Mr. SRI ATUL CHANDRA

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-12-2017 Heard learned counsel for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under sections 341,323,324,307,354,379 and 504/34 of the IPC.

The prosecution case is that on 20.6.2017, while Rani Kumari, daughter of the informant Geeta Kumari went for easing out in the field of petitioner no. 1, which was protested by him. On protest being made by Rani, petitioner no. 1 started abusing the informant's daughter Rani. Thereafter, Sangeeta Devi caught hold of the informant and pushed her on the ground and the petitioners assaulted her. The petitioner no. 1 snatched gold chain of the informant. When the husband and daughter of the informant came to rescue, they were assaulted by co-accused Tuna Nut (non-petitioner), who also disrobed Sari of the



informant. Co-accused Munshi Nut is also alleged to have assaulted. It is alleged against Tuna Nut that he assaulted with Khanti.

It is submitted by learned counsel for the petitioners that in the background of petty dispute the accusation has been levelled. Ghurma Nut alias Ghuran Nut and Sangeet Devi have been granted anticipatory bail vide order dated 12.10.2017 as contained in Annexure 3, passed in Cr. Misc. No. 48052 of 2017. The injury of the informant appers to be superficial, however, opinion with regard to the same has been reserved. There is specific accusation of assault against Ghuran Nut to the informant and there is counter version of the occurrence also. Statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP, however opposed the prayer of the petitioners since there is specific accusation of assault against them.

Considering the accusation in the background of land dispute regarding easing out in the field of the petitioner no.1 and co accused having been granted anticipatory bail, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks 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 CJM, Aurangabad in connection with Aurangabad (M) P.S. Case No.106 of 2017.

(Dinesh Kumar Singh, J)

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