

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.61350 of 2017

Arising Out of PS. Case No.-2461 Year-2016 Thana- SIWAN COMPLAINT CASE District-
Siwan

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1. Gautam Rai, S/o-Ram Pravesh Rai,
 2. Bhirgu Rai @ Bhirgunath Rai, S/o- Ram Pravesh Rai,
 3. Bindu Devi, W/o Gautam Rai, All R/o- Village- Mahna, P.S.-
Bhagalpur, District- Siwan. Petitioners

Versus

1. The State of Bihar.
2. Chinta Devi, W/o- Shailesh Singh, At present D/o- Bharath Rai, R/o Village-
Mahna, P.S.- Bhagwanpur, District- Siwan.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Adv.

For the Opposite Party/s : Mr. (DR.) Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 19-12-2017 Heard learned counsels for the petitioners and State.

The petitioners are apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 323, 379 and 504 of the IPC.

The prosecution case is that all the accused persons came at the door of the informant, when co-accused Manish Singh caught hold of the hair of the complainant and pushed her down on the earth, whereas, petitioner no.1, Gautam Rai assaulted by fist on the abdominal part of the informant causing bleeding injury, when other accused persons also assaulted the informant. It is alleged against Co-accused Indra Pari Devi that she snatched gold chain and petitioner no.3, Bindu Devi took away



the blanket.

It is submitted by learned counsel for the petitioners that the only non-bailable offence, for which cognizance has been taken, is Section 379 of the IPC, which is not alleged against petitioner nos. 1 and 2. However, it is only alleged against petitioner no.3 that she took away the blanket, which appears to be cosmetic in nature. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Considering the fact that Section 379 IPC is not made out against petitioners nos. 1 and 2 and petitioner no.3 is a lady, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Complaint Case No. 2461 of 2016, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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