

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39759 of 2016

Arising Out of PS.Case No. -129 Year- 2014 Thana -PAKRIDAYAL District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Maheshwar Singh
 2. Arvind Singh both s/o late Ram Ekbal Singh Both r/o vill Ajagarwa P.S.
Pakaridayal District East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2

For the Opposite Party/s : Mr. Sri Indra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 01-03-2017

Heard learned counsels for the petitioners

and the State.

The petitioners have renewed prayer for anticipatory bail a case registered for the offences punishable under Sections 341, 323, 354A, 354B, 364 and 506 of the Indian Penal Code.

The prosecution case is that the informant used to reside at Delhi for earning his livelihood when the family of the informant used to reside at their native place. On 25.07.2014 the petitioners along with Rambabu Singh cut the guava tree of the informant which was protested by the mother of the informant when they tied the mother of the informant and



assaulted her. It is further alleged that subsequently the informant came to his native place when in the night of 30.07.2014 the accused persons including the petitioners again abused and gave threatening to the mother of the informant. In the next morning the informant got up to find his mother traceless when it was suspected that the accused persons kidnapped the mother of the informant.

It is submitted by learned counsel for the petitioners that only on suspicion the accusation has been levelled. For the initial occurrence of 25.07.2014 and the last incident of 30.07.2014 the FIR was registered on 02.08.2014. It is further submitted by learned counsel for the petitioners that the mother of the informant has now been located and the informant has entered into compromise and a petition to that effect has been filed before the learned court below which has been brought on record as Annexure-3 when other co-accused persons have been granted anticipatory bail vide Cr. Misc. No. 50476 of 2015.

Considering the nature of accusation, this Court is not inclined to revise the earlier order, but keeping in view of the retracted version of the informant coupled with the statement made in paragraph 3 of the petition that the petitioners



have no criminal antecedent and others have been granted anticipatory bail, it is a case for consideration of prayer for bail, if the petitioners surrender before the learned court below within a period of six weeks from today in connection with Pakaridayal P.S. Case No. 129 of 2014 pending in the court of learned Additional Chief Judicial Magistrate-5, Motihari, East Champaran.

With the aforesaid observation, this application is disposed of.

(Dinesh Kumar Singh, J)

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