

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28051 of 2017

Arising Out of PS.Case No. -46 Year- 2015 Thana -BELCHAR District-
WESTCHAMPARAN(BETTIAH)

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1. Khunti Miyan @ Khuti Miyan son of Late Rahman Miyan
2. Mir Hassan Miyan son of Late Rahman Miyan
3. Gafur Miyan son of Isa Miyan
4. Salina Khatoon wife of Mir Hasan Miyan All residents of village -
Balthar, P.S. - Balthar, District - West Champaran.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Rajendra Singh Shastriji

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 10-07-2017 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in
connection with Balthar P.S. Case No. 46 of 2015 for the offences
instituted under Sections 341, 323, 354 and 504/34 of the Indian
Penal Code.

It is alleged that while the informant was sleeping in
her room, the petitioners having armed with lathi suddenly
entered into her room and started pressing towel in her mouth. On
crying of the informant the villagers came there then the
petitioners fled away.



It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case due to village politics. Subsequently, the matter has been compromised between the parties vide Annexure-2 to the present application.

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Balthar P.S. Case No. 46 of 2015 on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of Sri Manas Kumar, Judicial Magistrate 1st Class, Bettiah, West Champaran, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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