

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31162 of 2017

Arising Out of PS.Case No. -905 Year- 2016 Thana -BIHTA District- PATNA

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1. Binod Kumar, son of Balli Rai,
2. Rakesh Kumar, son of Chandeshwar Rai,
3. Harendra Kumar Rai @ Harendra Kumar, son of Deonath Rai,
4. Ranjit Kumar @ Ranjit Rai, son of Shiv Pujan Rai,
5. Dheera Rai, son of Shiv Pujan Rai,
6. Deonath Rai, son of Late Jai Rai,
7. Pratap Kumar, son of Late Arjun Rai, All are resident of Village- Pali,
P.O.- Pareo, P.S.- Bihta, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Sinha

For the Opposite Party/s : Mr. Smt. Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 14-07-2017 The petitioners apprehend arrest in Bihta P.S. Case
No. 905 of 2016 under Sections 341, 342, 323, 307, 326, 504/34
of the I.P.C.

Heard the learned counsel for the petitioners and
APP for the State.

For the occurrence of assault which took place on
09.10.2016, two F.I.R. were registered. The informant of the
present case filed complaint case No. 1063 C of 2016 on
15.10.2016 on the file of A.C.J.M., Danapur, alleging there in
that all the accused persons on 09.10.2016 administered poison
and assaulted him. The copy of complaint petition was sent to



P.S. on the basis of which Bihta case no. 905 of 2016 was registered on 28.11.2016. The sister-in-law (Bhabhi) of present informant lodged F.I.R. on the date of occurrence itself i.e. 09.10.2016 alleging inter alia that the accused persons abused and assaulted her and when his Dewar (informant of this case) came for her rescue he was also assaulted by these petitioners. On her fardebayan Bihta P.S. Case No. 769 of 2016 under Sections 341, 323, 354, 504/34 I.P.C. was registered. On behalf of present petitioners, Bihta P.S. case No. 770 of 2016 was also registered against the informant and his family members. Both parties are resident of same place and there is case and counter case. The allegation of assault also appears omnibus. The allegation of the present case, which was lodged after six days of occurrence is quite different to the case which was registered on the date of occurrence.

Considering the facts and circumstances of the case, anticipatory bail prayer is allowed. The petitioners above named, in the event of arrest/surrender within six weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Danapur in connection with Bihta P.S. Case no. 905 of 2016, subject to the condition as laid



down under Section 438(2), the code of Criminal Procedure.

(Sanjay Kumar, J)

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