

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9614 of 2018

Arising Out of PS.Case No. -183 Year- 2017 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Hiralal Rai
 2. Ramesh Rai @ Ramesh Kumar
 3. Ram Sogarth Rai
 4. Shrawan Rai @ Shrawan Kumar &
 5. Pawan Rai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranvijay Singh

For the Opposite Party/s : Mr. Sri Aditya Narayan Singh 1

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 17-02-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections-147,149,447,341,323,324,307,448,379,354,427,504 and 506 of the Indian Penal Code.

The prosecution case as per the written report of Gajendra Yadav submitted before S.H.O. Madhuban Police Station is to the effect that on 09-07-2017 at 8.30 P.M. all accused persons including the petitioners came variously armed at the door of the informant and started abusing him with filthy language. In the meantime, co-accused Ravindra Rai assaulted the informant with Farsa on his head causing bleeding injury. Co-accused Ram



Balak Rai assaulted Jitendra Yadav with sword causing cut injury on his head. When Gajendra Yadav came to rescue him, he was also assaulted by Ramchandra Yadav with sword causing grievous injury on his back. It is alleged against Ram Sogarath Rai that he fired in the air to create terror. Thereafter, other accused persons including the petitioners entered into the informant's house and took away Rs. 35,000/- from the box kept there.

It is submitted by learned counsel for the petitioners that the accusation of assault has not been levelled against the petitioners and accusation of committing theft is cosmetic in nature.

Learned counsel for the informant submits that there is no accusation of assault specifically against the petitioners but they committed theft in the house of the informant and misbehaved with the female members of the house.

Considering the fact that accusation of assault has not been levelled against the petitioners and they have no criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the 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 the like amount each to the satisfaction of learned



Additional Chief Judicial Magistrate, Motihari, East Champaran in connection with Madhuban P.S. Case No. 183 of 2017 , subject to the conditions as laid down under Section-438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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