

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23614 of 2018

Arising Out of PS.Case No. -30 Year- 2018 Thana -CHAINPUR District- BHABHUA (KAIMUR)

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1. Bechan Bind, S/o Late Bholi Bind,
 2. Rinku Bind S/o Bechan Bind,
 3. Pintu Bind, S/o Bechan Bind, All of Resident of Village Lodipur, P.S. Chainpur, District- Kaimur at Bhabua.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Pratap Singh

For the Opposite Party/s : Mr. Sri Manoj Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 26-04-2018

Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 323, 341, 354B, 379 and 504/34 of the Indian Penal Code.

The prosecution case as per the written report of Bindu Devi dated 12.02.2018 submitted to the Station House Officer, Chainpur P.S., is to the effect that on 11.02.2018 the informant was sleeping with her children, in the meantime, at 12.00 O'clock co-accused Birbal Bind entered into her house with bad intention and he began to drag the informant by catching hold of informant's hand. On protest being made and



alarm being raised the accused escaped from the scene, while his mobile fell in the house. On next day on 12.02.2018 at 6-7 A.M. seven accused persons including the petitioner came to get back the mobile. On protest being made the accused persons assaulted and snatched Mangalsutra and Rs.7,000/-.

It is submitted by learned counsel for the petitioner that the thrust of accusation is against co-accused Birbal Bind. The accusation against the petitioner is omnibus and general and a statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent. Moreover, the non-bailable offence alleged is 354B IPC which is not alleged against the petitioner and 379 IPC which is also not specific against the petitioner.

Learned APP, however, submits that the petitioner is named in the FIR.

Considering the thrust of accusation against co-accused Birbal Bind and a statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two



sureties of the like amount each to the satisfaction of learned
Chief Judicial Magistrate, Kaimur at Bhabua in connection with
Chainpur P.S. Case No. 30 of 2018, subject to the conditions as
laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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