

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38369 of 2018

Arising Out of PS.Case No. -30 Year- 2018 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

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1. Biru Ram, S/o Gopal Ram,
 2. Vicky Sao @ Vicky Kumar, S/o Ashok Sao, Both R/o Mohalla-Hajipur.
 3. Darpan Sonar @ Darpan Kumar, S/o Saryug @ Tamtamwala, R/o Mohalla Katrapar.
 4. Bikku Yadav, S/o Karu Yadav, R/o Mohalla Asalgarhi, All P.S. Bihar, Distt.- Nalanda.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Amresh Kumar Sinha, Advocate.

For the Opposite Party : Mr. Indivar Kumari, APP 22

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-07-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 147, 448, 341, 354(A),
354(B), 290 of IPC and 37(C) of the Bihar Excise Amended Act,
2016.

The prosecution story, in brief, is that on 28.01.2018
at about 6.15 P.M. in the evening the informant after returning
from market found that in the room of one Prahlad, the petitioners
and others were taking meal and intoxication and also making



noise. She entered into her room and locked inside the room. In the meantime, petitioners and others forcibly broken the door and entered into her room. One co-accused Kundan Kumar caught her breast. Rest of the accused teased her. They also in drunken state, quarreled with her husband and made firing. Thereafter, they fled away.

It has been submitted by learned counsel for the petitioners that the petitioner nos. 1, 3 and 5 have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The informant is a private party. There is enmity between the parties due to village politics. The informant of the present case has instituted case against the petitioners. The allegations made in the F.I.R. is denied by the petitioners.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R/ Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned 6th Additional



District and Sessions Judge-cum-Special Court, Excise, Nalanda
Biharsharif, in connection with Bihar P.S. Case No. 30 of 2018,
subject to the conditions as laid down under Section 438(2) of the
Code of Criminal Procedure.

(Sudhir Singh, J)

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