

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69856 of 2018

Arising Out of PS. Case No.-237 Year-2018 Thana- NAANPUR District- Sitamarhi

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1. Ram Balak Kumar, S/o Balbodh Rai @ Balbodh Yadav,
 2. Balbodh Rai @ Balbodh Yadav, S/o Late Nandkishore Rai, Both
Resident of Village- Mahisautha, P.S- Nanpur, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sri Anant Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-12-2018 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 147, 148, 149, 341, 323, 324, 307, 354, 435, 447, 504 and 506 of the Indian Penal Code.

The prosecution case as per the written report of Sadhu Yadav, submitted to the Station House Officer of Nanpur Police Station on 23.07.2018 is to the effect that on 23.07.2018 at 6.00 A.M. the informant was giving fodder to his buffalo, in the meantime, all the accused persons including the petitioners came variously armed and started abusing and assaulting the informant. It is specifically alleged that co-accused Dilip Rai



assaulted the father of the informant by Farsa and thereafter all the accused persons assaulted the informant and when the wife of the informant came to his rescue, then the accused persons tore her clothes and rendered her nude.

It is submitted by learned counsel for the petitioners that the injury of the informant and his father has been found to be simple. It is further submitted that the petitioners are the agnates of the informant and the accusation of assault is not specific against the petitioners. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the petitioners are named in the FIR.

Considering the accusation being levelled in the background of land dispute coupled with the statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners 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) each with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Pupri



at Sitamarhi in connection with Nanpur P.S. Case No. 237 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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