

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39744 of 2018

Arising Out of PS. Case No.-142 Year-2018 Thana- FATUHA District- Patna

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1. Ravi Kumar
2. Bipat Kumar Both S/o Ramji Sao, Both R/o Saidpur, P.S.-
Fatuha, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudal Singh

For the Opposite Party/s : Mr. Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-07-2018 Heard learned counsels for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341,323,307,452,354 and 380 of the IPC.

The prosecution case as per the Complaint Case No. 1239 of 2017 filed by Pappu Sao, which came to be registered as police case after being transferred under Section 156(3) of Cr.P.C., is to the effect that the accused persons entered into the house of the informant in drunken condition and demanded Rs.5,000/- as extortion and in case of non-payment, they gave threat to his life. It is further alleged that petitioner no.1, Ravi Kumar assaulted the informant on his neck with sickle causing injury and when he repeated the blow, the informant received cut injury. When the wife of the



informant came to rescue, him, petitioner no. 2 assaulted her with lathi causing injury on head, stomach and hand. It is further alleged that co-accused Anju Devi assaulted the informant and his wife with danda and petitioner no. 1 tried to outrage the modesty of the informant's wife.

It is submitted by learned counsel for the petitioners that the accusation of assault is omnibus and general. The informant received four injuries, out of which, one is bruise and three injuries are scratches of marginal size. It is further stated that for the occurrence of 9.12.2017, complaint was filed on 14.12.2017 and the FIR was registered on 14.3.2018.

Learned APP submits that the accusation of assault is specific against the petitioners.

Considering the fact that for the occurrence of 9.12.2017, complaint was filed on 14.12.2017 and the FIR was registered on 14.3.2018 coupled with the fact that the accusation of assault is not being corroborated by the medical opinion and statement being made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of



Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM, Patnacity in connection with Fatuha P.S. Case No. 142 of 2018 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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