

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10388 of 2019

Arising Out of PS. Case No.-43 Year-2015 Thana- TERHAGACHH District- Kishanganj

1. Shankar Lal Harijan, aged about 35 years, male
 2. Sriram Harijan, aged about 32 years, male
 3. Chain Lal Harijan, aged about 28 years
Sl. No. 1 to 3, S/o Late Ghera Lal Harijan
 4. Santosh Kumar Harijan, aged about 40 years, male
 5. Bhokarna Harijan @ Bhakran Harijan, aged about 42 years, male
Sl. No. 4 to 5, S/o Chain Lal Harijan
 6. Hari Lal Yadav @ Hari Prasad @ Hori Lal Yadav, aged about 35 years, Male
S/o Late Madhu Lal Yadav
 7. Upen Kumar Yadav, aged about 40 years, male, S/o Hari Lal Yadav @ Hari Prasad @ Hori Lal Yadav
- All resident of village-Mahua, P.S-Terhagachh, Dist.-Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha
For the Opposite Party/s : Mr. Rajiv Nayan (App231)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-02-2019 Heard learned Counsels for the petitioners and
learned APP for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 323, 427, 354, 452, 380, 504 and 506 of the Indian Penal Code.

The prosecution case as per the written report of Archana Devi submitted to SHO, Terhatgachh Police Station is to the effect that on 02.04.2018 at about 7.00 P.M., nine accused persons including the petitioners came variously armed, entered



into the house of the informant and started abusing the informant. On protest being made, petitioner no.1, Shankar Lal Harijan and co-accused Jai Prakash Yadav torn the clothes of the informant and her sister-in-law. It is further alleged that the accused persons also took away Jewellery, cash of Rs.5,000/- and clothes kept for the purpose of marriage of the daughter of the informant. A bag was taken away by co-accused Sunder Yadav, and Shri Ram Harijan, petitioner no.2. It is further stated that petitioner no.6, Hari Lal Yadav snatched away the chain of the informant.

It is submitted by learned counsel for the petitioners that for the occurrence of 02.04.2015 at 7.00 P.M., FIR was registered on 03.04.2015 at 1.15 P.M. There is no injury report brought on record. A statement has been made in paragraph no. 3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by learned APP for the State that there is specific accusation against the petitioners.

Considering the fact that there is no injury report brought on record and the impugned order also does not suggest that the injured persons have been medically examined, coupled with statement made in paragraph no.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 12 weeks from today, 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 **Judicial Magistrate, 1st Class, Kishanganj** in connection with **Terhagachh P.S. Case No.43 of 2015**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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