

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8641 of 2019

Arising Out of PS. Case No.-251 Year-2017 Thana- KATEYA District- Gopalganj

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1. Balmiki Kushwaha @ Balmiki Bhagat, Male, aged about 37 years, Son of Nande Lal Bhagat
 2. Sudhir Kushwaha @ Sudhir Bhagat, Male, aged about 26 years, Son of Om Prakash Bhagat, both Resident of Village – Mohanpur, P.S.- Kateya, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mishra
For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-02-2019 Heard learned counsels for the petitioners and the State.

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

The prosecution case, as per the written report of Krishnawati Devi, dated 04.09.2017, submitted to the Station House Officer, Kateya Police Station, is to the effect that on the same day, the informant, being the Anganbari Sewika in Kateya Centre No. 132, was teaching at the said Anganbari Centre, when one of the girl, namely Palvi went outside to ease out, where she was being assaulted by wife of petitioner no.1,



namely, Indu Devi and when the informant made protest, then the petitioners caught hold the arm and sarree of the informant and started dragging her and threw her on the road, thereafter, all the accused persons started assaulting the informant with fists and kicks and snatched her gold chain.

It is submitted by learned counsel for the petitioners that for the occurrence of 04.09.2017 at 10 A.M., the FIR was lodged on the same day at 5 P.M. It is further submitted that the informant has not received any injury and the accusation has been made in the background of earlier land dispute. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the specific accusation has been made against the petitioners and the petitioners are named in the FIR.

Considering the fact that the informant has not received any injury, coupled with the 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/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 like amount each to the satisfaction of learned CJM-XV, Gopalganj in connection with Kateya P.S. Case No. 251 of 2017, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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