

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1276 of 2019

Arising Out of PS. Case No.-129 Year-2017 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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1. RANDHIR RAI Son of Sudhir Rai, Resident of Village-Sihma, P.S.-Matihani, District-Begusarai.
 2. Ranjit Rai Son of Bisho Rai,
 3. Jagarnath Rai @ Jagarnath Kumar Rai Son of Ram Lonin Rai,
 4. Shankar Rai Son of Late Bharan Rai,
 5. Vijay Rai, Son of Late Sitaram Rai,
 6. Rabin Rai @ Robin Rai @ Navin Rai @ Rabin Kumar Son of Jhari Rai @ Gangadhar Rai @ Ganga Prasad Yadav
 7. Jhari Rai @ Gangadhar Rai @ Ganga Prasad Yadav @ Gangadhar Ray, Son of Late Kiro Rai
- 2 to 7 are resident of Village-Sherpur, Diyara, P.S.-Vidyapati Nagar, District-Samastipur.

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Ranjita Devi Wife of Ramraji Paswan, Resident of Village-Sherpur, Diyara, P.S.-Vidyapati Nagar, District-Samastipur.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sandip Kumar Gautam
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 03-04-2019

Heard the parties.

The appellants are apprehending their arrest in connection with Complaint case No.129 of 2017 dated 21.6.2017, registered for offences punishable under Sections 147, 148, 149, 452, 453, 455, 354, 395, 427, 504 of the Indian Penal Code and Section 3(1)(r)(s)(e)(g) of SC/ST (Prevention of Atrocities) Act.

Allegation against the appellants is that they came over the house of the informant, damaged the property and assaulted her as well as they tried to outrage her modesty.



Submission of the learned counsel for the appellants is that there is land dispute between the parties as the wife of the appellant no.7 has purchased the land from the 'Gotia' of the informant and with respect to that land a proceeding under Sections 144 and 107 of the Cr.P.C. had also been initiated earlier also.

Heard learned Spl.P.P. , who has opposed the pryaer for bail on the ground that the cognizance has been taken. .

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellants, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Addl. Sessions Judge, Samastipur-cum- Special Judge, SC/ST (POA Act), Samastipur in connection with Complaint Case No.129 of 2017 dated 21.06.2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the aforesaid direction, this appeal is allowed and the impugned order is set aside.

(Vinod Kumar Sinha, J)

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CAV DATE	
Uploading Date	
Transmission Date	

