

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33468 of 2019

Arising Out of PS. Case No.-25 Year-2019 Thana- NAUTAN District- Siwan

1. MITHILESH RAI @ MITHILESH KUMAR RAI S/o Ashwani Rai Resident of Village- Pipra, P.S.- Nautan, District- Siwan.
2. Prince Rai @ Prince Kumar Rai S/o Ashwani Rai Resident of Village- Pipra, P.S.- Nautan, District- Siwan.
3. Shobhit Tiwari S/o Nanhe Tiwari Resident of Village- Pipra, P.S.- Nautan, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Sinha
For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 21-05-2019 Heard both sides.

The petitioners apprehend their arrest in Nautan P.S. case No. 25 of 2019 registered under Section 147, 341, 323, 379, 506 of the IPC and u/s 27 of Arms Act.

The informant named the petitioners and other unknown persons and alleged that they all having armed with different weapons came. Mithilesh Rai made indiscriminate firing. The accused persons entered into her house, snatched her ornaments and asked the informant to send her husband and children. They also threatened that her husband and children would be killed by the next morning.

The learned counsel for the petitioners submits that no occurrence as alleged by the informant took place. In fact Prince Kumar, petitioner No.2, lodged Nautan P.S. case No. 24 of 2019 prior to institution of the present case making allegation against



husband of informant, Anil Pandey, and others that while he was going to attend the ceremony at the residence of his friend, Govind Pandey, Rahul Pandey, Anil Pandey, husband of informant, and Shailesh Singh caught him and snatched Rs. 30,000/- and chain made of gold from his possession. They also assaulted him.

Considering the facts aforesaid and nature of allegation made against the petitioners and the fact that there is case and counter case and prior to institution of the present case petitioner No.2 lodged Nautan P.S. case No. 24 of 2019 against the husband of informant and others, the petitioners, above named, in the event of their arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to be enlarged on bail on their furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XII, Siwan in connection with Nautan P.S. case No. 25 of 2019, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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