

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42558 of 2019

Arising Out of PS. Case No.-116 Year-2018 Thana- MAHILA P.S. District- Araria

1. SADANAND RISHIDEV @ SADANAND RISHI Son of Late Manik Chand Rishidev Resident of Village - Kohabara Vishanpur Majhuwa, P.S.- Raniganj, District- Araria
2. Sushil Rishidev Son of Sadanand Rishidev Resident of Village - Kohabara Vishanpur Majhuwa, P.S.- Raniganj, District- Araria
3. Sunil Rishidev Son of Sadanand Rishidev Resident of Village - Kohabara Vishanpur Majhuwa, P.S.- Raniganj, District- Araria
4. Mallar Rishidev Son of Thithar Rishidev Resident of Village - Kohabara Vishanpur Majhuwa, P.S.- Raniganj, District- Araria
5. Brahmdev Rishidev Son of Late Kalanand Rishidev Resident of Village - Kohabara Vishanpur Majhuwa, P.S.- Raniganj, District- Araria
6. Vijendra Rishidev Son of Late Gowardhan Rishidev Resident of Village - Kohabara Vishanpur Majhuwa, P.S.- Raniganj, District- Araria
7. Duilip Mehta @ Dilip Mehta @ Dilip Kumar Mehta Son of Triveni Mehta Resident of Village - Kohabara Vishanpur Majhuwa, P.S.- Raniganj, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 10-07-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Araria (Mahila) Police Station Case No.116 of 2018 registered under Sections 323, 341, 354B, 425, 504 and 506/34 of the Indian Penal Code.



The accusation is that on 04.12.2018, the informant had gone at the premises of newly Primary Vidyalaya, Santhali Tola, Basaha Mushari, where a general meeting was to be held for the selection to the post of Assistant Anganwari Sewika. Thereafter, the informant was asked by L.S. to submit the original copies of the certificates of her educational qualification. When she started to give the same to L.S. Sadanand Rishidev (petitioner no.1) snatched the original certificates from the hand of the informant and torn the same. When the informant asked him about tearing of the certificates, then the petitioner nos.2 and 3 caught hold hair of the informant and took her out side the general meeting and, thereafter , torn her blouse, saree and caused assault her through fists and slaps. Thereafter other petitioners also assaulted her and in course of causing assault, the petitioner no.3 took the silver chain of the informant. The petitioner no.1 also gave threatening to the informant of dire consequences in case of lodging the case.

Learned counsel for the petitioners submits that, in fact, Akalia Devi, the wife of the petitioner no.1, had lodged complaint Case No.2567C of 2018 in the court of the Chief Judicial Magistrate, Araria, against the informant and others, due to that reason, the informant has lodged this false case. The



petitioner nos.2, 4, 5 and 7 have no criminal antecedents, whereas the petitioner nos.1, 3 and 6 are accused in one more case, as detailed in paragraph-3 to this application, in which they are on anticipatory bail.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, 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 the Sub Divisional Judicial Magistrate, Araria, in connection with Araria (Mahila) P.S. Case No.116 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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