

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22700 of 2015

Arising Out of PS.Case No. -95 Year- 2013 Thana -RAJPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. RAM SWAROOP SAH, SON OF BAIJNATH SAH
2. HARENDRA SAH SON OF BAIJNATH SAH
BOTH RESIDENT OF VILLAGE-NANHKAR, P.S.-RAJEPURA,
DISTRICT-EAST CHAMPARAN.

.... PETITIONER/S

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Arun Kumar, Adv.

For the Opposite Party/s : Mr. R.B.Roy Raman (App)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 08-07-2015 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor.

Petitioners along with others who were annoyed with institution of a case by the informant at an earlier occasion on account of teasing his daughter, it has been alleged that on the alleged date and time of occurrence while was returning from local market, all the accused so named including these petitioners intercepted him and on an order of Binod Sah and Raj Narayan Sah, petitioner fired from his pistol causing injury over his back. Vinod took out Rs.5000/-. When he cried, Harendra Sah pierce Khanjar in the injury and further directed to keep silence otherwise he will be murdered. On arrival of villagers including his family members accused persons escaped. Annexure-3 has

been filed which suggests presence of single lacerated wound on the back of right side of chest 4 cm x 2cm x (illegible) caused by hard and blunt substance which the order impugned also discloses. Moreover, original injury report was no available before the learned lower court though it was incorporated in the case diary under para-25. Furthermore, it is also evident from order impugned that matter has been compromised which, in the background of presence of injury which the learned lower court had perceived, prayer for bail was rejected. Petitioners happen to be under custody since 25.03.2015.

Accordingly, petitioner Ram Swaroop Sah, Harendra Sah each are directed to be released on bail on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each, to the satisfaction of learned SDJM, Sikrahna at Motihari in connection with Rajepur P.S. Case No.95 of 2013.

(Aditya Kumar Trivedi, J.)

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