

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48421 of 2014

Arising Out of PS.Case No. -40 Year- 2013 Thana -MAINATAND District-
WESTCHAMPARAN(BETTIAH)

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1. Pradeep Sah S/o Rameshwar Sah
2. Shyam Babu Sah S/o Rameshwar Sah Both are Resident of Village
Rampurwa, P.S. Mainatand, District West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

3 13-03-2015 Heard the learned counsel for the petitioners and
the learned A.P.P. for the State.

The petitioners seek bail in a case for the offence
punishable under Sections 147, 148, 149, 341, 448, 323,
324, 379 and 504 of the Indian Penal Code and later on
Section 302 of the Indian Penal Code is added.

The allegation against petitioner no. 1 is to have
assaulted Bhikhar Sah, father of the informant and the
allegation against petitioner no. 2 is to have assaulted
Bhuwan Sah, brother of the informant. The allegation of
assault against Kanti Devi (deceased), mother of the
informant, is against Mira Devi and Pratima Kumari.

It is submitted on behalf of the petitioners that
there has been free-fight between both the parties and
mother of the petitioner Mira Devi has also lodged
Mainatand P. S. Case no. 39 of 2013 against the
informant and his relatives for the offence punishable
under Section 307 and other allied sections of the Indian

Penal Code. The injuries caused by the petitioners are simple in nature. So far the cause of death of the deceased has not been ascertained during post mortem examination although the injury caused to the deceased was found simple at the time of treatment. The petitioners have no criminal antecedents.

Learned counsel for the State submits that during investigation the name of petitioner no. 1 has also appeared to have assaulted the deceased.

Considering the facts and circumstances of this case, the above-named petitioners are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran in Mainatand P. S. case no. 40 of 2013 with the following conditions :

1. One of the bailors will be the close relative of the petitioners.
2. The petitioners will not indulge in similar or in any other offence.
3. The petitioners will be well represented in the court.
4. In case of absence for two consecutive dates or in violation of the terms of the bail, their bail bonds will be liable to be cancelled by the court concerned.

(Amaresh Kumar Lal, J)

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