

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27236 of 2015

Arising Out of PS.Case No. -77 Year- 2015 Thana -DHAMDAHA District- PURNIA

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1.Heera Sah @ Heera Lal Sah, son of Late Sita Sah
2.Naresh Sah, son of Heera Sah @ Heera Lal Sah
3. Preety Devi, wife of Lakhan Sah @ Lakhan Lal Sah, all residents of
village-Baran Nirpur, P.S. Dhamdaha, District-Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Uday Singh

For the Opposite Party/s : Mr. Smt. Sahin Begum(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-07-2015 Heard learned counsels for the petitioners and the State.

The petitioners being the father, brother and wife of the brother of the husband of the informant are apprehending arrest in a case registered for the offences under sections 341, 323, 324, 307 and 504/34 of the Indian Penal Code.

It is alleged that petitioner no.1 pushed the informant in the fire, and she sustained burn injury. When the informant anyhow regained her balance, then petitioner no.3 pushed her again to the fire, and petitioner no.2 abused her.

It is submitted by the learned counsel for the petitioners that in the background of land dispute, the accusation has been levelled. The informant was examined by the doctor at 9.30 P.M. on 20-3-2015, whereas the F.I.R. was registered at 11.30 P.M. The F.I.R. reached to the learned court below on 22-3-2015 which suggests that F.I.R. was registered by ante-dating. It is submitted that at earlier point of time petitioner no.1 filed a C.A.

Case against the informant, her husband and her brother for snatching ornaments and cash. The burn injuries have been found superficial and simple in nature . It is submitted by the learned counsel for the petitioners that the injury was caused due to accidental fall of the informant. Statement has been made in paragraph no.3 of the petition that the petitioners have no criminal antecedent.

Considering the relationship of the petitioners with the informant and the fact that the case lodged by the petitioner no.1 being at earlier point of time and the injuries are found superficial and simple in nature, let the above named petitioners be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea, in connection with Dhamdaha P.S. Case No. 77/2015, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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