

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28671 of 2015

Arising Out of PS.Case No. -50 Year- 2015 Thana -MAJHAHGARH District- GOPALGANJ

1. Subash Sah son of Begu Sah
2. Netesh Sah @ Netesh Kumar Sah Son of Subash Sah
3. Begu Sah son of Jagdeo Sah
4. Munni Devi wife of Suresh Sah
All residents of Village - Allapur, P.S. - Manjhagarh, District - Gopalganj.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Naresh Dikshit
For the Opposite Party/s : Mr. Ashraf Ansari (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 24-07-2015 Heard both sides.

The petitioners, four in number, apprehend their arrest in a case under Section 307 and other sections of the Indian Penal Code.

The informant named the petitioners and alleged that they having armed with different weapons came and assaulted the informant and other family members. Subash Sah (petitioner no. 1) is alleged to have assaulted the wife of the informant and Netesh Sah (petitioner no. 2) is alleged to have assaulted the father of the informant Goga Sai. It is submitted that there is a counter-version, being Manjhagarh P.S. Case No. 49/2015, and from the side of the petitioners also, injuries were caused to different persons.



The wife and the father of the informant are alleged to have been assaulted with Farsa, but no injury is found to have been caused by a sharp-edged weapon. Subash Sah is alleged to have assaulted the wife of the informant. From perusal of the injury report of Kayda Khatoon, wife of the informant, one lacerated wound was found on the scalp, but the injury is opined to be simple in nature, caused by a hard and blunt object. The father of the informant Goga Sai got as many as four injuries, all are lacerated wounds, but one injury on the right shoulder is opined to be grievous in nature. Netesh Sah @ Netesh Kumar Sah (petitioner no. 2) is the assailant of the father of the informant.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner no. 2 Netesh Sah @ Netesh Kumar Sah on anticipatory bail in Manjhagarh P.S. Case No. 50/2015. Accordingly, the same is rejected.

So far as the case of petitioner nos. 1 Subash Sah, petitioner no. 3 Begu Sah and petitioner no. 4 Munni Devi are concerned, considering the facts that there is omnibus and general allegations against them, the above named petitioner nos. 1, 3 & 4, in the event of their arrest or surrender before the learned 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 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, Gopalganj in Manjhagarh P.S. Case No. 50/2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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