

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46817 of 2015

Arising Out of PS.Case No. -309 Year- 2014 Thana -CHATOUNI District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Jawahir Sah Son of Late Aklu Sah
 2. Sandeep Kumar Son of Jawahir Sah
 3. Guddu Kumar @ Guddu Sah Son of Jawahir Sah All Resident of Village
- Bara Bariyarpur, P.S.- Chhatauni, District - East Champaran (Motihari)

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
ORAL ORDER

2 09-11-2015 Heard learned counsel for the petitioners and learned
Additional P.P. for the State.

The petitioners pray for anticipatory bail in a case under
Sections 341, 323, 324, 307, 379 and 504/34 of the Indian Penal
Code.

It is submitted by learned counsel for the petitioners that
the petitioners have been falsely implicated in this case as the
statements made in the FIR do not tally with the facts on the
examination of the injuries of the informant. It is submitted that
the informant has claimed to have received injury on his head
caused by sword but the injury report shows laceration scalp deep
on occipital area caused by hard and blunt substance. It is further
submitted that there is no allegation of any further injury having
been caused to the informant as the second injury on the left ring

finger of the informant is not caused during the course of Mar pit. It is submitted that the injury report of the brother-in-law of the informant shows laceration muscle deep on right little finger caused by hard and blunt substance. Learned counsel also submits that the parties are patidars and because of previous dispute the present case has been filed.

On a consideration of the facts and circumstances of the case, it is directed that the petitioners, namely, (1) Jawahir Sah, (2) Sandeep Kumar and (3) Guddu Kumar @ Guddu Sah, in the event of their arrest/surrender in the court below within a period of four weeks from today, shall be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each in connection with Chhatauni P.S. Case No. 309 of 2014 to the satisfaction of Sri Rajeev Kumar-IV, Judicial Magistrate, 1st Class, East Champaran, Motihari, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ramesh Kumar Datta, J)

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