

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42589 of 2015

Arising Out of PS.Case No. -29 Year- 2015 Thana -JADIA District- SUPAUL

- =====
1. Buchay @ Bindeshwari Sah @ Buchay Sah
 2. Raghu Sah Both are sons of Laxmi Sah Resident of Village- Datua, P.S. Jadia, District Supaul.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Sunil Kumar Singh, Advocate.

For the Opposite Party : Mr. Narsing Tanti(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 17-09-2015 Heard learned counsel for the petitioners, learned
counsel for the informant as well as the learned APP.

The petitioners seek bail in a case registered for the offences punishable under Sections 147, 148, 149, 341, 324, 323, 302 and 504 of the Indian Penal Code.

The informant alleged that Laxmi Sah assaulted his mother Gonari Devi with Dabiya a sharp edged weapon on her head. Sugiya Devi the wife of Laxmi Sah put down Gonari Devi by catching her hair. Buchay @ Bindeshwari Sah @ Buchay Sah petitioner no. 1 is alleged to have assaulted Gonari Devi the mother of the informant with Samath a heavy hard and blunt wooden object on the neck of the deceased. Petitioner no. 2 Raghu Sah is alleged to have assaulted the daughter of the informant with

bamboo stick. The daughter of the informant got simple injury on account of assault made by Raghu Sah. From perusal of the post-mortem report it appears that Gonari Devi the deceased mother of the informant, got one incised wound on her head, but no injury was found on her neck. The petitioner no. 1 is alleged to have assaulted on the neck of the deceased with Samath.

On the other hand learned counsel for the informant as well as the learned APP opposed the prayer for bail and submitted that the case diary is called in the case of Baidyanath Sah.

Considering the facts aforesaid and the fact that the petitioner no. 1 is alleged to have assaulted the deceased with Samath, but no corresponding injury is found and the co-accused Chhedan Sah has already been enlarged on bail vide orders passed in Cr. Misc. No. 32130 of 2015, the petitioners above named 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, Supaul in Jadia P.S. Case No. 29 of 2015.

(Prabhat Kumar Jha, J.)

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