

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2396 of 2015

Arising Out of PS.Case No. -138 Year- 2014 Thana -HUSAINGANJ District- SIWAN

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1. Ram Sagar Bin S/o Jagu Bin
2. Ram Ayodhya Bin S/o Late Mahadeo Bin
3. Nand Kishore Bin S/o Ram Ayodhya Bin
4. Panch Ratani Devi W/o Harishankar Bin All are R/o vill. - Singar Patti,
P.S. Husain Ganj, Distt. - Siwan

.... Petitioners.

Versus

The State of Bihar

.... Opposite Party.

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 20-01-2015 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Husainganj P.S. Case No. 138 of 2014 registered under Sections-
341, 323, 324, 307/34 of the Indian Penal Code.

The submission on behalf of the petitioners is that
free fight took place between the parties and persons from both
sides sustained injuries and Husainganj P.S. Case No. 141 of 2014
was lodged against the prosecution party.

From perusal of the first information report, I find
that it were petitioner Nos. 2 & 3 who assaulted the informant and
his father and so far as petitioner Nos. 1 & 4 namely, Ram Sagar
Bin and Panch Ratani Devi are concerned; it is simply stated that
they participated in the alleged crime and assaulted the

informant's mother and his son.

From perusal of the impugned order of learned Sessions Judge, I find that informant's son, namely, Suraj Kumar sustained only one injury, which is simple in nature and said to be caused by hard and blunt substance and similarly, mother of the informant, namely, Fulkali also sustained one injury, which is simple in nature and said to be caused by hard and blunt substance. So far as the informant and his father are concerned; both sustained four injuries each and almost all the injuries have been found on the scalp of informant and his father.

Considering the above-said facts and circumstances as well as submission of the parties, in the event of their arrest or surrender in the court below within four weeks from the date of receipt/production of copy of order in the court below, petitioner Nos. 1 & 4 namely, Ram Sagar Bin and Panch Ratani Devi shall be released on bail on furnishing bail bond of Rs 10,000/- (ten thousand) with two sureties of the like amount each in connection with Husainganj P.S. Case No. 138 of 2014 to the satisfaction of Chief Judicial Magistrate, Siwan subject to conditions as laid down u/S 438(2) of the Cr. P.C.

So far as prayer for anticipatory bail of petitioner Nos. 2 & 3 namely, Ram Ayodhya Bin and Nand Kishore Bin are

concerned; the same stands rejected. However, if they surrender before the court below and seek regular bail within four weeks from today, their regular bail petition shall be considered by the concerned court on its own merit without being prejudiced by this rejection order.

(Hemant Kumar Srivastava, J)

A.K.V./-

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