

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3484 of 2015

Arising Out of PS.Case No. -95 Year- 2013 Thana -RAJPUR District- EAST CHAMPARAN
(MOTIHARI)

- =====
1. Ram Swaroop Sah
 2. Harendra Sah, both Sons of Baijnath Sah
 3. Chunmun Sah @ Munchun Sah, Son of Harendra Sah
 4. Manish Sah @ Manish Kumar Sah, Son of Ram Swaroop Sah
 5. Binod Sah, Son of Bhuneshwar Sah
 6. Raj Narayan Sah, Son of Saryu Sah
 7. Binda Sah, Son of Late Satahu Sah,

All of Village - Ojhilpur, P.S. Rajepur, District - East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance:

For the Petitioner/s : Mr.
For the Opposite Party/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 27-01-2015 Heard both sides.

The petitioners, seven in number, are apprehending their arrest in a case registered under Section 307 and other sections of the Indian Penal Code and Section 27 of the Arms Act.

The informant alleged that all the accused persons intercepted him and Ram Swaroop Sah fired which hit on his back. Binod Sah took money from his pocket and Harendra Sah pierced spear in the wound caused by firearm.

Learned counsel for the petitioners submits that there

is a case and counter-case, bearing Rajepur P.S. Case No. 66/13. Kamli Devi, wife of Harendra Sah, lodged the above case against the informant.

Considering the fact that there are specific allegations against petitioner no. 1 Ram Swaroop Sah and petitioner no. 2 Harendra Sah of assaulting the informant and that the firing made by the petitioner no. 1 hit the informant on his back, I am not inclined to enlarge the above named petitioners no. 1 & 2 on anticipatory bail in Rajepur P.S. Case No. 95/13 and the same is rejected.

So far as the case of petitioners no. 3, 4, 5, 6 & 7, namely, Chunmun Sah @ Munchun Sah, Manish Sah @ Manish Kumar Sah, Binod Sah, Raj Narayan Sah and Binda Sah are concerned, there is no specific allegation of assault against them.

Having considered the fact that there is no specific allegation of assault against petitioners no. 3, 4, 5, 6 & 7, the above named petitioners no. 3, 4, 5, 6 & 7, 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 bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Sikrahna

at Motihari in Rajepur P.S. Case No. 95/13, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

Dilip/-

U		T	
---	--	---	--