

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26064 of 2015

Arising Out of PS.Case No. -50 Year- 2014 Thana -HATHUA District- GOPALGANJ

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1. Ardhnath Sah Son of Late Mahanth Sah
2. Dukhbhanjan Sah Son of Ardhnath Sah
3. Hareram Sah Son of Ardhnath Sah All resident of village - Rupan Chak,
P.S. Hathua, District - Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar
2. Kanti Devi Wife of Kamlesh Sah resident of village - Rupan Chak, P.S.
Hathua, District - Gopalganj

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey No-5

For the Opposite Party/s : Mr. A.K.Choudhary(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-07-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 307 and 379/34 of the Indian Penal Code.

It is alleged that all the accused persons came variously armed when petitioner no. 1, Ardhnath Sah assaulted on the head of Kanti Devi as well as Dinesh Sah whereas petitioner no.2 Dukhbhanjan Sah assaulted Suman Kumari over her shoulder and petitioner no.3 Hareram Sah assaulted with farsa on the head of Kusum Kumari and snatched gold chain from her.

It is submitted by learned counsel for the petitioners that

petitioners' side lodged Hathwa P.S. Case No. 51 of 2014 levelling accusation under Sections 341, 323, 307, 376/511/34 of the IPC against the informant's side and went to make protest for outraging the modesty of the girl of petitioners' side then they were assaulted and frivolous case has been lodged. A statement has been made in para 3 of the petition that the petitioners has no criminal antecedent.

Since the injury report suggest that petitioner no.2 Dukhbhanjan Sah caused grievous injury to Suman Kumari, let the learned court below consider the regular bail of petitioner no.2 if he surrenders within a period of six weeks.

Considering the superficial injury being caused by petitioner nos. 1 and 3 and the case lodged by the petitioners' side at earlier point of time let them be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M., 1st Class, Gopalganj in connection with Hathwa P.S. Case No. 50 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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