

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30491 of 2015

Arising Out of PS.Case No. -117 Year- 2015 Thana -SUGAULI District- EAST CHAMPARAN
(MOTIHARI)

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1. Jagdish Sah, son of Late Bhola Sah,
 2. Hira Sah, son of Late Bhola Sah,
 3. Sunil Sah, son of Jagdish Sah,
 4. Dedami @ Bedami Devi, wife of Jagdish Sah,
 5. Lal Babu Sah, son of Bira Sah,
 6. Shobha Devi, wife of Bira Sah,

All residents of Vill. Sugauli, P.S. Sugauli, Distt. East Champaran
(Motihari.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Dhurendra Kumar

For the Opposite Party/s : Mr. Arun Kumar Singh-5(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 28-07-2015 Heard both sides.

The petitioners, six in number, apprehend their arrest
in a case under Section 307 and other sections of the Indian Penal
Code.

Kamlesh Sah named the petitioners along with others
and made omnibus and general allegations of assault. Sunil Sah
(petitioner no. 3) is alleged to have assaulted the wife of the
informant after putting her down on the ground with bricks on her

head. Lal Babu Sah (petitioner no. 5) assaulted the mother-in-law of the informant with sharp-edged weapon on her ankle. Opinion with regard to the injuries sustained by the mother-in-law and the wife of the informant has been kept reserved. There is no specific allegation of assault against the Jagdish Sah (petitioner no. 1), Hira Sah (petitioner no. 2), Dedami @ Bedami Devi (petitioner no. 4) and Shobha Devi (petitioner no. 6). There is a counter-version being Sugauli P.S. Case No. 114 of 2015.

Considering the facts aforesaid, the petitioners no. 1, 2, 4 & 6, namely, Jagdish Sah, Hira Sah, Dedami @ Bedami Devi and Shobha Devi respectively, 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 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, East Champaran at Motihari in Sugauli P.S. Case No. 117/2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

So far as the case of petitioners no. 3 & 5, namely, Sunil Sah and Lal Babu Sah are concerned, there is specific allegation that they assaulted the mother-in-law and the wife of the

informant and they got injuries. Hence, I am not inclined to enlarge the above named petitioners no. 3 and 5 on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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