

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41849 of 2015

Arising Out of PS.Case No. -68 Year- 2014 Thana -RASULPUR District- SARAN

- =====
1. Phulmati Devi , wife of Gudari Sah,
 2. Rambabu Sah @ Sunil Sah son of Gudari Sah, both are resident of Village- Madhopur, P.S. Rasulpur, Distt- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Surendra Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-10-2015

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 353, 332, 333 of the Indian Penal Code.

The prosecution case is that when the police force went to apprehend Radheshyam Sah, then the petitioner no. 2 assaulted the constable Narendra Kumar Singh with iron rod, causing fracture injury, whereas Phulmati Devi, daughter of petitioner no. 1 made an attempt to snatch the service revolver of the informant.

It is submitted by the learned counsel for the petitioners that there is nothing on record to suggest that any police personnel have received any injury.

Considering the fact that the specific accusation of assault is against petitioner no. 2, let the learned court below consider the prayer for regular bail of the above named petitioner no. 2, if he surrenders before the learned court below within a period of six weeks from today in connection with Rasulpur P.S. Case No. 68 of 2014, pending in the court of learned Sri Vivek Rai, Judicial Magistrate, Ist Class, Chapra, Saran.

So far as petitioner no. 1 is concerned, there is no specific allegation against him, let the above named petitioner no. 1 be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sri Vivek Rai, Judicial Magistrate, Ist Class, Chapra, Saran in connection with Rasulpur P.S. Case No. 68 of 2014, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

(Dinesh Kumar Singh, J)

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