

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26745 of 2015

Arising out of PS.Case No. -46 Year- 2014 Thana -DARPA District- EAST
CHAMPARAN(MOTIHARI)

1. Sanjay Sah, S/o Tarachand Sah.
2. Vijay Sah, S/o Tarachand Sah. Both residents of village- Bhatnahiya,
P.S.- Darpa, District- Motihari.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Ranjeet Kumar Singh, Advocate.
For the Opposite Party : Mr. Veena Kumari Jaiswal (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-07-2015 The petitioners are languishing in custody since 22.04.2015 in connection with Darpa P.S. Case No. 46 of 2014 for the offences instituted under Sections 147, 341, 323, 504, 379 and 313 of the I.P.C.

Heard learned counsel for the petitioners and learned counsel for the State.

The prosecution story, in brief, is that while the informant was sitting at her door in the meantime, all the accused persons armed with lathi and Muari came and asked about Rajendra Sah, Shrikant and abused and entered in her house. The informant's husband and father-in-law any how saving themselves fled away. The informant asked why the petitioners accused



persons have entered into her home, upon which the accused, namely, Motichandra Sah ordered to kill her, accused persons knocked down the informant on the ground. Accused Vijay Sah and Sanjay Sah caused assault to the informant on her belly with kick. At that time the informant was pregnant and she became unconscious and fell down on the ground. The accused namely Bhikhari Sah committed theft of golden chain worth Rs. 40000/- and accused Tarachand Sah and Ramadhar Sah committed theft of cash Rs. 36000/-. Silver ornament and attaché in which clothes were kept.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 22.04.2015 and the charge sheet has been submitted in the present case. It is further submitted that the petitioners have got no criminal antecedent. It is further submitted that the petitioners and the informant are close agnates and there is land dispute between the parties. There is a case and counter case also.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released 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 J.M. Raxaul
at Motihari, in connection with Darpa P.S. Case No. 46 of 2014,
G. R. No. 379/2014.

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(Sudhir Singh, J)