

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36517 of 2014

Arising Out of PS.Case No. -25 Year- 2011 Thana -AADAPUR District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Sheshnath Prasad S/o Dhansi Sah
 2. Radhika Devi W/o Sheshnath Prasad
 3. Savitri Devi, W/o Akhilesh Prasad
- Petitioner no. 1 to 3 are resident of village- Sirisiya Khurd, P.S.- Adapur,
District- East Champaran
4. Hiralal Sah, S/o Satyanarain Sah
 5. Vijay Kumar S/o Hiralal Sah
 6. Ajay Kumar S/o Hiralal Sah
- Petitioner no. 4 to 6 are resident of village- Bhawanipur Bazar, P.S.-
Nakardei, District- East Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate
For the Opposite Party/s : Mr. Shahin Begum(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 27-03-2015 Heard Mr. Pramod Kumar Singh learned counsel for

the petitioners and learned APP for the State.

Six petitioners herein belonging to the same village
apprehend their arrest in connection with Aadapur P.S. case no. 25
of 2011, lodged under diverse Sections of the Indian Penal Code
including Section 307 of the Indian Penal Code.

On an issue of putting barricade on the land, the
occurrence was allegedly committed in which one Akhilesh
Prasad wielding iron rod is said to have assaulted the son of the

informant, namely, Ranjit Kumar causing grievous injury.

Contention of the petitioner is that allegation of causing the head injury has not attributed to the petitioners. Ornamental allegation of committing theft has been interluded in order to make the case serious. There is counter version of this case in the shape of an F.I.R. lodged by petitioner no.1 against the present prosecution party in which his son received injury at the hands of the prosecution. The accused persons have no criminal antecedent. They are co- villagers of the informant.

In view of the above, let the petitioners, named above, in the event of their arrest/surrender within four weeks from today before the Court below, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Raxaul at Motihari in connection with Aadapur P.S. case no. 25 of 2011, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C. with following conditions:-

- (i) One of the bailors in each case shall be the own/close family member of the petitioners.
- (ii) As soon as the charges are framed



the petitioners shall appear in person before the trial Court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, trial Court shall have liberty to cancel their bail bonds and secure their arrest in accordance with law.

(Kishore Kumar Mandal, J)

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