

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1800 of 2015

Arising Out of PS.Case No. -56 Year- 2014 Thana -RAXAUL District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Kishori Sah, Son of Late Shiv Prasad Sah,
2. Munna Sah, Son of Kishori Sah Both Resident of Village - Chhota
Preuawa, Block Road, Raxaul, P.S. - Raxaul, District - East Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Satyavrat Verma, Adv.

For the Opposite Party/s : Mr. Sanjay Kr. Sharma, Adv.

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 06-05-2015 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in connection with Raxaul P.S. Case No. 56 of 2014 registered for the offences punishable under Sections 341, 323, 307 and 302/34 of the Indian Penal Code. Later on Section 302 of the Indian Penal Code and Section 27 of the Arms Act were added.

It is alleged that a Panchaiti was convened in between Kishori Sah and Bharat Sah in which brother of the informant Jainarayan Prasad was Panch on behalf of Bharat Sah. During the course of Panchaiti, altercation took place when co-accused Yagendra Sah (not petitioner) caused injury by pistol to Jainarayan Prasad, brother of the informant who subsequently succumbed to the injuries. Ajay Sah caused pistol injury to Hakik Mian.

Co-accused Sanjay Sah, Raju Kumar @ Raju Sah and petitioner Kishori Sah along with one of his sons not named but is one of the petitioners in this application assaulted the cousin brother of the informant Jai Prakash Sah.

It is submitted by the learned counsel for the petitioner that there is no injury report of Jai Prakash Sah on record and this fact has not been controverted by the learned A.P.P. after going through the case diary. There is no specific accusation against the petitioners. Statement has been made in entry 3 of the petition that the petitioners have no criminal antecedents.

Considering the aforesaid facts and circumstances of the case, let the above named petitioners be released on anticipatory bail in the event of their arrest or surrender before the court below within a period of four weeks from today 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 Sub-Divisional Judicial Magistrate, Raxaul, District-East Champaran or the concerned court in connection with Raxaul P.S. Case No. 56 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J.)

Vats/-

U		T	
---	--	---	--