

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4385 of 2016

Arising Out of PS.Case No. -20 Year- 2015 Thana -DHIBRA District- AURANGABAD

1. Manoj Sao
2. Binod Sao Both Sons of Pramod Sao Resident of village - Banuan, P.S.
Dhibra, District - Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. S.Ehteshamuddin(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-02-2016 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 147, 148, 149, 341, 323, 324, 307, 379, 354, 448 of the Indian Penal Code.

The prosecution case is that on 20.11.2015 at 7.00 P.M. co-accused Pramod Sao, Sohan Kumar, Vijay Sao, Pankaj Sao and petitioners Binod Sao and Manoj Sao forming an unlawful assembly assembled, when Vijay Sao and Pankaj Sao entered into the house of the informant and started outrage the modesty of the daughter of the informant Maya Kumari and Chanda Kumari. When informant went to rescue, then petitioner no. 2 Binod Sao



assaulted with axe on the neck of the informant and co-accused Pramod Sao assaulted with lathi to Maya Kumari and Manju Devi assaulted the wife of the informant. It is further alleged that Paramshila, Dharamshila, Vijay Sao and Pankaj Sao took away Rs. 46,000/- from the box of the informant.

It is submitted by the learned counsel for the petitioners that the petitioners are the agnate of the informant. In the background of land dispute accusation has been levelled. There is no specific accusation against petitioner no. 1 Manoj Sah. However, it is alleged that petitioner no. 2 Binod Sao assaulted with axe on the neck of the informant. There is no injury on the neck of the informant. Injury has been found to be simple in nature by the Doctor. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent.

Considering the specific accusation is not against petitioner no. 1 and petitioner no. 2 is alleged to have assaulted with axe on the neck of the informant, but no injury has been found on the informant, let the above named petitioners be released on bail in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in

connection with Dhiba P.S. Case No. 20 of 2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

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