

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12648 of 2016

Arising Out of PS.Case No. -56 Year- 2015 Thana -CHAURADANO District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Prem Sah Son of late Hazari Singh
 2. Jitendra Sah son of Prem Sah
 3. Satrudhan Sah@Shatrughan Sah son of Prem Sah All resident's of Village- Chainpur, PS Chhauradano, District East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Virendra Kuar
For the Opposite Party/s : Mr. Nirmal Kumar Sinha(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 25-05-2016 Heard the counsel for the petitioners, the informant as well as the State.

The petitioners seek anticipatory bail in Chhauradano P.S.Case No. 56 of 2015 registered under section 307 IPC.

Both the parties appear to be agnates. The dispute arose over lifting of soil from the field probably claimed by both parties for which cases have been lodged by both sides. Petitioner no.3 is also stated to have lodged a case against the present prosecution party under section 307 IPC vide Annexure-2.

The allegation is that at the orders of petitioner nos. 1, petitioner no.2 assaulted the informant with an iron rod on his

head whereas petitioner no.3 assaulted the son of the informant with a **Farsa**. The injury report indicates receipt of injuries caused by petitioner no.2 on the head of informant which are close to grievous. The son of the informant received injury caused by hard and blunt substance which was opined to be simple in nature.

Considering the allegation, prayer for bail on behalf of petitioner no.2 is rejected.

So far as petitioner nos. 1 and 3 above named are concerned, in the event of arrest/surrender within four weeks from today, they shall be released on bail on furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of Sri Suresh Kumar Judicial Magistrate 1st Class Motihari in Chhauradano P.S. Case No. 56 of 2015 on condition that one of the bailors of each of the petitioners shall be their own/close family members. They shall appear on each date fixed at the trial. In case of default in appearance on two dates in a row, the trial court shall cancel their bail bonds.

(Kishore Kumar Mandal, J)

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