

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34284 of 2016

Arising Out of PS.Case No. -59 Year- 2013 Thana -MEERGANJ District- PURNIA

1. Ajay Sah
2. Bijay Sah
Both S/o Gulab Sah
3. Gulab Sah, S/o Late Ram Sagar Sah
4. Bharat Kumar Sah, S/o Gulab Sah
All residents of village- Kojara (Navtolia), P.S.- Mirganj, Distt.- Purnea

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : M/s. Pramod Kumar Mallick,
Sachchida Nand, Lal Karan, Advocates
For the State : Ms. Veena Kumari Jaiswal, A.P.P.

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 14-09-2016 I have heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in a case registered for offences punishable under Sections 147, 148, 149, 323, 324, 325, 307, 379 and 452 of the Indian Penal Code.

It is contended on behalf of the petitioners that one of the co-accused person, namely, Bikki Devi @ Sulekha Devi is legally wedded wife of the complainant/informant, Mahesh Sah and she had filed complaint case no.4408/2010 against her husband and others under Section 498 of the I.P.C. and ¾ of the Dowry Prohibition Act. It is further contended that the dispute is only in

view of the fact that the informant was getting remarried without obtaining any decree of divorce. It is also contended that though there is grievous injury in the knee but not on the vital part of the body and, as such, ingredients of 307 of the I.P.C. are not made out. It is lastly contended that petitioners are having clean antecedent.

Having regard to the facts and circumstances of the case, let the petitioners, namely, Ajay Sah, Bijay Sah, Gulab Sah and Bharat Kumar Sah be released on bail in the event of arrest/surrender before the court below within a period of six weeks from today in Mirganj P.S. Case No. 59 of 2013, on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) each with two sureties of the like amount each to the satisfaction of C.J.M., Purnia subject to the conditions as laid down under sub-section(2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

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