

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30089 of 2016

Arising Out of PS.Case No. -65 Year- 2015 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Shanti Devi Wife of Sri Gajadhar Sah,
2. Gajadhar Sah, son of Yadu Nandan Sah both are resident of Village-
Baswariya, P.S.- Motihari Muffasil District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava

For the Opposite Party/s : Mr. Sri Ramesh Chandra

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 08-09-2016 Heard both sides.

The petitioners apprehend their arrest in Muffasil
P.S. case No. 65 of 2015 under Section 307 and other Sections of
the Indian Penal Code.

The informant alleged that her grand son had gone to
attend the call of nature in the field of Gajadhar Sah, petitioner
No.2, for that Gajadhar Sah came to complain. The accused
persons, having armed with different weapons, began to abuse the
informant. Gajadhar Sah is said to have assaulted the informant
with Farsa on her head.

It is submitted that one lacerated wound, which is
simple in nature, is found on the head of informant. The police

after investigation submitted charge sheet under 323, 354 and other Sections of the IPC and not under Section 307 of the IPC.

It appears that due to some altercation between the petitioners and informant only because the petitioners raised objection of defecation of grand son of informant in their garden the occurrence took place.

Considering the facts aforesaid and the nature of allegations made against the petitioners, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-XI, East Champaran at Motihari, in Muffasil P.S. Case No. 65 of 2015, Trial No. 560 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

BKS/-

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