

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.242 of 2016

Arising Out of PS.Case No. -202 Year- 2015 Thana -KATEYA District- GOPALGANJ

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1. Sharda Devi wife of Guljar Baitha,
 2. Amarjeet Baitha, son of Guljar Baitha,
 3. Guljar Baitha, son of Late Munesar Baitha
 4. Shiv Baitha son of Guljar Baitha,

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Ram Chandra Sahni (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-01-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 447, 341, 323, 324, 307 and 504/34 of the Indian Penal Code.

It is alleged that the accused persons armed with 'dabiya', hammer and 'lathi' started abusing and made assault to the informant, his parents and brothers. It is specifically alleged that petitioner no.3 Guljar Baitha assaulted with 'dabiya' on the head of the father of the informant whereas petitioner no.4 Shiv Baitha assaulted with hammer on the head of brother of the informant namely Chummun while petitioner no. 2 Amarjeet

Baitha caused injury on the ear of Sugriv Baitha.

It is submitted by learned counsel for the petitioners that there is no specific accusation of assault against petitioner no.1 Sharda Devi and she has been roped in the present case being mother of petitioner no.3. The injuries of all the injured have been found to be simple in nature and in the background of land dispute, the accusation has been levelled. Petitioners are the agnate of the informant.

Considering the aforesaid facts, let petitioner no.1 Sharda Devi be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Gopalganj in connection with Kateya P.S. Case No.202/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

So far as petitioner nos.2 to 4 are concerned, it is a case for consideration of prayer for regular bail.

Let the learned Court below consider the prayer for regular bail of petitioner nos. 2 to 4, if they surrender within a period of six weeks in connection with Kateya P.S. Case No.202/2015, pending before the learned CJM, Gopalganj.

With the above observation, this application, so far as it relates to petitioner nos. 2 to 4 is, accordingly, disposed off.

(Dinesh Kumar Singh, J)

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