

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11159 of 2016

Arising Out of PS.Case No. -175 Year- 2015 Thana -CHHATAPUR District- SUPAUL

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1. Shibu Sah son of Late Harihar Sah
 2. Bhagat Sah @ Bhagwat Sah son of Late Harihar Sah
 3. Bijli Devi Wife of Bedanand Sah
 4. Munia Devi, Wife of Bahadur Sah
 5. Manju Devi, Wife of Kulanand Sah
 6. Amrika Devi @ Amerika Devi wife of Vidyanand Sah
 7. Dhania Devi Wife of Late Babuji Sah All resident of village- Mahabari, P.S.- Chhatapur, District- Supaul

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Uday Chand Prasad, Advocate

For the Opposite Party : Mr. Dr .Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 02-05-2016 A supplementary affidavit has been filed on behalf of the
petitioners, which is kept on record.

Heard learned counsel for the petitioners, learned
counsel for the Informant and learned counsel for the State.

The petitioners are apprehending their arrest in
connection with Chhatapur P.S. Case No. 175 of 2015 for the
offences instituted under Sections 147, 148, 149, 341, 323, 324,
307, 504 and 379 of the Indian Penal Code.

As per prosecution case, the informant gave written
report alleging therein that on 24.07.2015 at about 8.00 A.M.
petitioners and other accused persons after forming unlawful
assembly variously armed with *Kachia*, *Dabiya*, *farsa*, *danda*
assaulted Budhu Sah over his head on the order of Domi Sah and

Rajo Sah. As such Budhu Sah and others sustained sharp cut and incised wound oozing blood over his head.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is a case and counter case between the parties. One of the persons is said to have died on the side of the petitioners for which Annexure-2 was instituted. The death of the said person has not explained by the prosecution vide Annexure-1. Petitioners have falsely been implicated in the present case due to previous enmity.

On behalf of the State and the counsel for the Informant, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Chhatapur P.S. Case No. 175 of 2015 on furnishing bail bond of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM, Udakishunganj, Supaul, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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