

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53813 of 2016

Arising Out of PS.Case No. -174 Year- 2015 Thana -CHHATAPUR District- SUPAUL

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1. Surat Lal Sah Son of Parmeshwari Sah
2. Raj Kumar Sah Son of Surat Lal Sah Both Residents of Village
Bhattawari, Police Station- Chhatapur, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Verma

For the Opposite Party/s : Mr. Sri Lalan Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 14-12-2016 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners seek bail in connection with Chhatarpur
P.S. Case No. 174 of 2015 instituted for the offences punishable
under Section 147, 148, 149, 341, 323, 324, 307, 504, 379 & 302
of the Indian Penal Code.

The petitioners are said to have given *farsa blow* causing
injury to the informant and some other family members which
opined to be simple in nature.

Learned counsel for the petitioners submits that the
husband of the informant was assaulted by Umesh Sah.
Similarly situated persons of this case have been granted bail by
a coordinate Bench of this Court vide order dated 24.11.2015
passed in Cr. Misc. No. 53167 of 2015 and 09.02.2016 passed in



Cr. Misc. No. 6217 of 2016. The petitioners are languishing in jail custody having no criminal antecedent.

Learned APP for the State has opposed the prayer and submitted that both parties are related and some dispute is going on for which a Title Suit No. 156 of 2013 is pending in the court of learned Sub-Judge 3rd, Supaul.

Considering the injuries allegedly caused by both the petitioners are simple in nature and similarly situated persons of this case have been granted bail, I am inclined to extend the privilege of bail to the petitioners.

Let the petitioners above named, be released on bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned C.J.M., Supaul in Chhatarpur P.S. Case No. 174 of 2015 subject to the condition that:

- (i) One of the bailors shall be his/their own/close family member.
- (ii) The petitioners shall appear in person on each date fixed at the trial. In case of default in appearance on two consecutive dates, the trial court shall have liberty to cancel their bail bonds.

(Sanjay Kumar, J)

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