

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48317 of 2016

Arising Out of PS.Case No. -808 Year- 2014 Thana -TURKAULIYA District-
EASTCHAMPARAN (MOTIHARI)

=====

1. Santi Devi wife of Late Ramashray Sahani
2. Raja Kumar @ Raj Kumar son of Dasai Sahani
3. Sunita Devi @ Sumitra Devi wife of Dasai Sahani All are resident of
Village- Turkauliya, P.S.- Turkauliya District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. V. S. Srivastava, Advocate

For the Opposite Party/s : Mr. Murlidhar, APP

=====

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

2 16-12-2016 Heard both sides.

The petitioners apprehend their arrest in Turkauliya
P.S. case No. 808 of 2014 under Section 307 and other Sections
of the Indian Penal Code.

The informant named the petitioners and alleged that
the accused persons assaulted her with Lathi and Farsa. Raja
Kumar @ Raj Kumar stabbed knife on her head.

The learned counsel for the petitioners submits that
there is no specific allegation of assault against Santi Devi and
Sunita Devi @ Sumitra Devi, petitioners No.1 and 3. There is
specific allegation of assault against Raja Kumar @ Raj Kumar,
petitioner No.2, who stabbed with knife on the head of informant.
Altogether four injuries are found on the person of Usha Kuwar,
the informant. Injury No 1 is opined to be grievous in nature and



other three injuries are simple in nature. There is counter version.

Considering the fact that Raja Kumar @ Raj Kumar is author of injury No.1, found on the head of informant, caused by sharp edged weapon, I am not inclined to enlarge petitioner No.2 on anticipatory bail. Accordingly, the same is rejected.

So far as case of petitioner No.1, Santi Devi and petitioner No.3, Sunita Devi @ Sumitra Devi is concerned, there is no specific allegation of assault against them and they are ladies.

Considering the facts aforesaid and the nature of allegations made against the petitioners No.1 and 3, the above named petitioners No.1 and 3, 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 Chief Judicial Magistrate, East Champaran at Motihari in Turkauliya P.S. Case No. 808 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

BKS/-

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

