

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45059 of 2016

Arising Out of PS.Case No. -184 Year- 2016 Thana -NOKHA District- SASARAM (ROHTAS)

- =====
1. Vishwanath Sah Son of Late Bharosha Sah
 2. Ravi Shankar Sah @ Hira Sah S/o Vishwanath Sah
 3. Chandan Sah son of Vishwanath Sah
 4. Jayanti Devi wife of Vishwanath Sah All are resident of Village-Baligaon, P.S.- Nokha (Dharampur), District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dineshwar Pandey

For the Opposite Party/s : Mr. Sri Rajendra Prasad Nat

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 16-12-2016 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with Nokha Police Station Case No. 184 of 2016 registered for the offences punishable under Sections 147, 149, 341, 323, 324, 307, 504 of the Indian Penal Code.

There is allegation against these petitioners that they mercilessly assaulted the informant and others. The impugned order goes to show that almost all the injured sustained injury on their head and their conditions were very critical.

Learned counsel for the petitioners submits that, as a matter of fact, it was prosecution party, who was aggressor and assaulted the petitioner no. 1 and others for which petitioner no. 1



lodged Nokha P.S.Case No. 183 of 2016 and in retaliation to the aforesaid case, the present case has been lodged after obtaining manufactured injury report. It is further submitted that petitioner no. 4, namely, Jayanti Devi, is an old lady aged about more than 60 years but even she has not been spared by the prosecution party.

Considering the aforesaid facts and circumstances as well as submissions of the parties, the prayer for anticipatory bail of petitioner no. 1, namely, Vishwanath Sah, petitioner no. 2, Ravi Shankar, and petitioner no. 3, Chandan Sah stands rejected.

However, taking note of this fact that petitioner no. 4, namely, Jayanti Devi is an old lady, it is ordered that she, in the event of her arrest/surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Rohtas at Sasaram in Nokha Police Station Case no. 184 of 2016, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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