

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55000 of 2016

Arising Out of PS.Case No. -107 Year- 2016 Thana -BIHRA District- SAHARSA

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1. Subham Shaurabh, S/o Late Kishore Verma,
 2. Sidharth Shaurabh @ Sunny, S/o Late Kishore Verma.
 3. Laxman Mistri, S/o Kusho Mistri. All are Resident of Village- Patori,
P.S.- Bihra, District- Saharsa.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma

For the Opposite Party/s : Mr. Brajendra Nath Pandey

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 22-12-2016 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Bihara P.S. Case no. 107 of 2016, registered under Sections 147,
148, 149, 341, 342, 324, 307, 379, 504 and 506 of the Indian Penal
Code.

The accusation is that on 29.07.2016 in the evening
when the informant Anand Kumar Singh was returning from market,
in the way, petitioner No.1 Subham Shaurabh and petitioner No.2
Sidharth Shaurabh, with intention to kill him, made attempt to cause
injury through sharp cutting weapon. Thereafter, he was locked in the
room where he was assaulted through hockey and stick. On raising
hulla by the informant, petitioner No. 3 Laxman Mistri put weapon in
his mouth and threatened to kill in case of raising alarm. When
Mantun Singh, brother of the informant, came to rescue him, then



petitioner No.2 and his mother Sarita Devi caused injury to Mantun Singh by means of axe at his head on which he fell down and become unconscious. At that time, Sarita Devi snatched the golden chain from the neck of the wife of the informant and Laxman Mistri snatched Rs. 20,000/- from his pocket.

Learned counsel for the petitioners submits that while there is allegation against petitioners and other to cause injury to the informant and Mantun Singh, brother of the informant, but injuries as found on the person of the informant and his brother are simple in nature. Further submission is that, in fact, informant of the present case along with his brother Mantun Singh and 13 others came at the door of the petitioner and started assaulting the petitioners and at that time firing was also made in which Kishore Verma, father of the petitioner No.1 sustained grievous injury, whereas petitioner No.1, 2 and their mother Sarita Devi also sustained injury. The father of petitioner no. 1 was rushed to the hospital by the Police, who reached there on receiving information by the villagers, but he died in course of treatment regarding the said occurrence, on the basis of the written report of co-accused Sarita Devi, mother of the petitioner, Bihra P.S. Case No. 108 of 2016, registered under Sections 307, 324 of the I.P.C. and later on Section 302 of I.P.C. was added.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount



each to the satisfaction of the Chief Judicial Magistrate, Saharsa in connection with Bihara P.S. Case No.107 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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