

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41170 of 2016

Arising Out of PS.Case No. -40 Year- 2016 Thana -KAMTAUL District- DARBHANGA

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1. Jagdish Sah S/o late Janki Sah
2. Birendra Sah S/o late Janki Sah
3. Lal Babu Sah S/o Deo Narain Sah
4. Harihar Sah S/o Sri Devan Sah
All resident of Village- Station road, Kamtaul, PS Kamtaul, District
Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Dharmendra Jha, Advocate.

For the Opposite Party/s : Mr. Ganesh Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 29-09-2016 Learned counsel for the petitioners seeks permission

to withdraw the Anticipatory Bail Petition of petitioner no. 3,

namely, Lal Babu Sah.

Prayer is allowed.

The Anticipatory Bail Petition of petitioner no. 3 Lal
Babu Sah is dismissed as has become infructuous.

Heard both sides.

The petitioners no. 1, 2 and 4, namely, Jagdish Sah,
Birendra Sah and Harihar Sah, apprehend their arrest in Kamtaul
P.S. Case No. 40 of 2016 registered under Section 307 and other
sections of the Indian Penal Code.

The informant named six persons including the three

petitioners and alleged that they all surrounded his son Randhir Kumar Thakur and thereafter Kundan Kumar Sah assaulted him with Farsa on his head. The other accused persons are also alleged to have assaulted Randhir Kumar Thakur with fists and slaps. It is submitted that there is a counter case being Kamtaul P.S. Case No. 41 of 2016. Randhir Kumar Thakur got one lacerated wound on his head and another injury is abrasion on his nose. Both the injuries are simple in nature. Some scuffle took place due to demand of Chanda. There is no allegation of assault against the petitioners no. 1, 2 and 4.

Considering the facts aforesaid, the above named petitioners no. 1, 2 and 4, 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) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in Kamtaul P.S. Case No. 40/2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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