

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27471 of 2016

Arising out of PS.Case No. -71 Year- 2016 Thana -AMARPUR District- BANKA

1. Sanjay Das, Son of Dhoko Das.
2. Dhananjay Das, Son of Dhoko Das. Both are resident of village-Teliya Harijan Tola P.S. Fullidumar, District- Banka.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Brij Nandad Prasad, Advocate.
For the Opposite Party : Mr. Sri Anil Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-07-2016 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Amarpur (Fullidumar) P.S. Case No. 71 of 2016 for the offences instituted under Sections 341, 323, 324, 307, 379, 447, 354, 504/34 of the IPC. Later on, Section 302 of the IPC was also added.

The prosecution story, in brief, is that on 24.02.2016 at about 8.00 A.M., the son and daughter of the informant were playing and in course thereof, her son sang a song on which her daughter asked not to sing a song and told that she shall beat him and get him to hospitalized and in the meantime, Govind Das,



Nutan Devi and Priti Kumari came and started abusing and when the informant made protest they started assaulting her. Seeing this, her father-in-law and her daughter Janki Kumari and Mamta Kumari came to rescue her then the above named accused persons came having lathi and Bhala and accused Govind Das inflicted Khanti blow to her father-in-law by means of Khanti due to which he fell down and thereafter these petitioners alongwith Satyabir Kumar and Bittu Kumar came and assaulted her daughters Janki Kumari and Mamta Kumari by means of Lathi and Danda causing injuries to them. It is further alleged that Satyabir Das and Bittu Das snatched her ear-ring. On hulla, villagers came and intervened and brought the injured to Hospital for treatment. It has come that during course of treatment, the father-in-law of the informant Saryug Das succumbed to his injuries.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. They have falsely been implicated in the present case. The specific allegation of assault is against Govind Das. No specific injury has been attracted against these petitioners. General and omnibus allegation has been made against the petitioners.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Amarpur (Fullidumar) P.S. Case No. 71/2016 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 C.J.M., Banka, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)