

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9326 of 2016

Arising Out of PS.Case No. -849 Year- 2015 Thana -SAHARSA District- SAHARSA

- =====
1. Akaliya Devi @ Fuliya Devi W/o Bahadur Sah
2. Kundan Kumar @ Kundan Kumar Saurav @ Kundan Kumar Sorabh S/o Bahadur Sah, Both are resident of Village- Parsaha P.S. and District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Roy 1 (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 01-03-2016 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 307, 341, 323, 324, 379, 504/34 of the Indian Penal Code.

The prosecution case is that on 13.10.2015 at 7.00 A.M. all the 10 First Information Report named accused persons including the petitioners came and started removing fodder pot and other articles of the informant. On protest being made, on the order of co-



accused Bahadur Sah, petitioner no. 1 Akaliya Devi @ Fuliya brought farsha, when petitioner no. 2 Kundan Kumar @ Kundan Kumar Saurav @ Kundan Kumar Sorabh assaulted with farsha on the head of the informant. When brother and wife of the informant came to rescue, they were also assaulted by the accused persons. The accused persons took out box containing cash of Rs. 25,000/- and jewellery worth Rs. 40,000/-. Co-accused Netar Sah snatched Rs.1,000/- from the pocket of the informant.

It is submitted by the learned counsel for the petitioners that petitioners are agnates of the informant. Two injuries on the informant has been found, one is lacerated injury and other is bruise of marginal size, simple in nature caused by hard and blunt substance, though accusation of assault against petitioner no. 2 is caused by sharp cutting weapon. There is counter version of the occurrence.

Considering the aforesaid facts, 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 twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Saharsa Sadar P.S.

Case No. 849 of 2015, subject to conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

P.K./-

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