

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.43688 of 2016**

Arising Out of PS.Case No. -136 Year- 2015 Thana -MAJORGANJ District- SITAMARHI

- =====
1. Prakash Das, Son of Lal Babu Das,
  2. Lal Babu Das, Son of Chalitar Das, Both Residents of Maniyari, P.S. Majorganj, District Sitamarhi.

.... .... Petitioners

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Akbar Ali

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA**

**ORAL ORDER**

2 17-10-2016

Heard learned counsel for the petitioners and the learned

A.P.P. for the State.

The petitioners apprehend their arrest in connection with Mejjorganj (Suppi) P.S. Case no. 136 of 2015, registered under Sections 341, 323, 324, 307, 354, 379 and 504/34 of the Indian Penal Code.

The accusation is that on 24.05.2015, when the informant had gone to attend call of nature at that time, Prakash Das (Petitioner) caught hold him and bite at her chest. When she raised alarm, her brother Subodh Das and others rushed to save then petitioner Lal Babu Das and others named in the F.I.R. caused injury to her brother through 'Dabiya'.

Learned counsel for the petitioners submits that, in fact, on the basis of the information of Binda Devi, mother of the informant,

Mejorganj (Suppi) P.S. Case No. 125 of 2015, under Sections 147, 323, 354, 379 and 504 of I.P.C. was instituted and when Police personnel reached at the place of occurrence for investigation then Police party was assaulted by the informant side regarding which Mejorganj (Suppi) P.S. Case No. 124 of 2015, under Section 147, 323, 353 and 337 of I.P.C. was instituted by the Police Officer itself and due to that reason the present case has been loded in which the petitioner and other family members have been made accused. Moreover, after investigation, the Police submitted the Final Form, but the learned Addl. Chief Judicial Magistrate, Sitamarhi took the cognizance of the offence under Sections 341, 323, 324, 307, 354, 379 and 504/34 of the Indian Penal Code.

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, Sitamarhi in connection with Mejorganj (Suppi) P.S. Case No.136 of 2015, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

**(Rajendra Kumar Mishra, J)**

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