

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37310 of 2016

Arising Out of PS.Case No. -12 Year- 2016 Thana -RAIYAM District- DARBHANGA

1. Mehi Ram S/o Mishri Ram
2. Sone Ram S/o Mishri Ram
3. Ramprit Ram S/o Mishra Ram All resident of Village- Chhachha, P.S. Raiyam, District- Darbhanga

.... .. Petitioner/s

Versus

1. The State of Bihar

.... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Manoj Kumar – 1, A.P.P.-185

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 16-09-2016 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

Petitioners apprehend their arrest in connection with Raiyam P.S. Case No. 12 of 2016 registered for offences punishable under Sections 341, 323, 325, 307, 504/34 of the Indian Penal Code.

The prosecution case on the basis of FIR is that on 12.05.2016 at about 5 P.M. the neighbour of the informant, namely, Mehi Ram, the petitioner No. 1, was talking about transaction of money on which the informant told that there were some guests at his Darwaja, so talk about the same tomorrow, on which , he abused and assaulted his son. It is further alleged that



other co-accused persons including the petitioners came with lathi and danda. It is further alleged that petitioner No. 1, Mehi Ram, assaulted with lathi on his hand causing fracture and petitioner No. 2 Sone Ram, assaulted with danda to the son of the informant. It is further alleged that when the wife of the informant came to save him, then petitioner No.3 Ramprit Ram, assaulted her with danda. Thereafter, neighbors came and save them.

It has been submitted by the learned counsel for the petitioners that they are innocent and have been falsely implicated in the present case. The matter relates to some money dispute between the petitioner No. 1 and the informant due to which such occurrence is alleged to have taken place. He submits that all injuries are simple in nature except one injury caused on the wrist. He submits that no case Under Section 307 of the I.P.C. is made out and that the petitioners are respectable persons of the village and there is no chance of absconding or tampering with the evidence. He further submits that the petitioners have no criminal history, as is evident from para-3 of this application.

However, learned A.P.P. submits that the petitioners are named in the F.I.R., hence, opposes the prayer for bail.

Be that as it may, let the petitioners, above named, in the event of their arrest or surrender before the Court below

within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand only) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Raiyan P.S.Case No. 12 of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

(Nilu Agrawal, J)

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