

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11333 of 2017

Arising Out of PS.Case No. -718 Year- 2016 Thana -MADHEPURA District- MADHEPURA

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1. Neelam Devi, W/o Rajendra Sah @ Rajendra Saha
 2. Rajendra Sah @ Rajendra Saha, S/o late Awadh Sah @ Awadhesh Sah
 3. Ranjit Sah @ Ranjit Saha, S/o Rajendra Sah @ Rajendra Saha
 4. Bikram Sah @ Bikram Saha, S/o Rajendra Sah @ Rajendra Saha
 5. Bittu Sah @ Bittu Saha, S/o Bishwnath Sah @ Bishwnath Saha
 6. Pintu Sah @ Pintu Saha, S/o Bishwnath Sah @ Bishwnath Saha, All are residents of village - Sahugarh Tola Janki Madhepura, District Madhepura.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Kamal Kishore Singh, Advocate
For the Opposite Party : Mr. Sri Rajballabh Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 18-04-2017 Heard learned counsel for the petitioners, learned counsel for the informant and learned counsel representing the State.

The petitioners apprehend their arrest in connection with Madhepura P.S. Case No. 718 of 2016, registered for the offences punishable under Sections 341, 324, 307, 379/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that no offence under Section 307 of the I.P.C. is made out, the injury found on the person of all the injured are simple in nature. Against Rajendra Sah there is allegation for assaulting with *Dabiya* but no



grievous injury has been found rather injury is simple, the injury found on the mother of the informant is also simple and further the father of the informant has also received simple injury and, as such, the petitioners deserve sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of pre-arrest bail by submitting that against Rajendra Sah there is specific allegation and sharp cut injury has been found on the vital part of the body and, as such, intention is clear and the petitioners do not deserve pre-arrest bail.

In the facts and circumstances as stated above, considering that the injury found are simple in nature and, as such, the petitioners in the event of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail 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, Madhepura, in connection with Madhepura P.S. Case No. 718 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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