

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1964 of 2017

Arising Out of PS.Case No. -187 Year- 2016 Thana -CHANPATIA District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Brijesh Ram Son of Ramnath Ram, resident of Village- Parsauni, P.S. Parsauni, District- West Champaran as per FIR but actually resident of Village- Bharwalia, P.S. Bathwariya, District- West Champaran.
 2. Hridya Kunwar wife of late Bimal Ram
 3. Umrawati Kunwar wife of late Timal Ram
 4. Sunil Ram son of late Timal Ram
 5. Dharmendra Ram son of late Bimal Ram
 6. Kiran Devi @ Kiran Kumari daughter of late Bimal Ram, 2 to 6 are residents of Village- Naktaha Tola Barharwa, P.S. Sirisiya O.P. District- West Champaran.
 7. Ram Pukar Ram son of Chhabila Ram, resident of village- Chaurahi Sirisiya, P.S. Jogapatti, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Sri Arun Kumar

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 20-01-2017 Heard the learned counsel for the petitioners as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Chanpatia (Sirisiya O.P.) P.S. Case No. 187 of 2016 for the offences punishable under sections 147, 148, 149, 341, 323, 324, 308, 379 and 504 of the I.P.C.

It is submitted on behalf of the petitioners that there is case and counter case. The occurrence has taken place due to



quarrel between the children. The injury report reveals that the informant has received simple injury. There was no intention to commit culpable homicide and as such no offence under section 308 of the I.P.C. is made out. The allegation as made under section 379 of the I.P.C. is ornamental and super addition and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. fairly submits that there is case and counter case and the petitioners have got no criminal antecedents.

In the facts and circumstances as stated above, the petitioners, in case 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. Sri R. K. Tiwari, A.C.J.M. Bettiah, District- West Champaran in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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