

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7969 of 2017

Arising Out of PS.Case No. -342 Year- 2015 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Ram Ayodhya Sah, Son of Kodai Sah,
 2. Jay Sah @ Ajay Sah, Son of Ram Ayodhya Sah,
 3. Chuman Sah, Son of Dhruv Sah, All resident of village - Pataura,
Kaswa Tola, P.S. Muffassil, District - East Champaran

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Krishna Kant Singh, Advocate

For the Opposite Party : Mr. Sri Anil Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 17-04-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners apprehend their arrest in connection
with Muffassil P.S. Case No. 342 of 2015, registered for the
offences punishable under Sections 147, 148, 149, 341, 323, 324,
307, 354, 379, 504 of the Indian Penal Code.

Allegedly, in the occurrence the petitioner Jay Sah @
Ajay Sah on the order of Ram Ayodhya Sah gave farsa blow on
the head of the informant causing cut injury and bleeding, the
informant fell down and then Ramashray Sah gave rod blow
repeatedly, causing fractured on three places in his right leg,
others also assaulted him with rod and lathi causing injury on his



whole body, after hearing alarm when wife Ranju Devi and son Rajesh Kumar came for rescue then they were also assaulted by them and the petitioner Chuman Sah assaulted with farsa on Rajesh Kumar on his head causing head injury and further Ajay Sah torn and opened the blouse and sari, resulting, the wife of the informant became naked and snatched gold chain.

Submission is of false implication and that the wife of the petitioner has not supported such allegation, in her statement recorded by the police vide para 9 of the case diary, there is case and counter case and due to land dispute the occurrence has taken place.

The learned A.P.P. opposes the prayer of pre-arrest bail by submitting that the petitioner Jay Sah @ Ajay Sah and also Chuman Sah have assaulted on the head of Lakhindra Sah and Rajesh Sah and doctor has found head injury also, though they are simple in nature.

In the facts and circumstances as stated above, considering the nature of injury simple 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, East Champaran, Motihari, in connection with Muffassil P.S. Case No. 342 of 2015, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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