

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18527 of 2017

Arising Out of PS.Case No. -534 Year- 2016 Thana -KHAZANIHAT District- PURNIA

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1. Devanand Sah s/o Bhuvneshwar Sah
2. Rajeev Sah @ Rajeev Kumar s/o Devanand Sah
3. Usha Devi w/o Devanand Sah
All r/o Tatma Toli, Anand Colony, P.S. – K. Hat, District - Purnea

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary 1, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 10-07-2017 Heard both sides.

The petitioners apprehend their arrest in K. Hat (Sahayak) P.S. Case No. 534/2016, registered for the offences punishable under Section 307 and other sections of the Indian Penal Code.

The informant alleged that the petitioners and Sajeev Sah entered into her house, started abusing and also assaulted them only because the grand-son and grand-daughter threw water near the house of the petitioners. It is alleged that Devanand Sah petitioner no. 1 assaulted Ravi Das and Sanjeev Sah assaulted the daughter-in-law of the informant with Daab.

It is submitted that there is no specific allegation of assault against Rajeev Sah petitioner no. 2 and Usha Devi



petitioner no. 3.

It appears that there is specific allegation against Devanand Sah petitioner no. 1 who assaulted Ravi Das and Ravi Das got grievous injury.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner no. 1 Devanand Sah on anticipatory bail. Accordingly, the same is rejected.

So far as the case of Rajeev Sah petitioner no. 2 and Usha Devi petitioner no. 3 is concerned, there is no specific allegation of assault against them and there is counter version.

Considering the facts aforesaid, the petitioner no. 2 Rajeev Sah and Usha Devi petitioner no. 3, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Purnea in connection with K. Hat (Sahayak) P.S. Case No. 534/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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