

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42979 of 2017

Arising Out of PS.Case No. -118 Year- 2017 Thana -UCHAKAGAON District- GOPALGANJ

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1. Tara Devi, Wife of Dhurendra Sah,
2. Basanti Devi @ Sangita Devi, wife of Ajay Sah,
3. Mahajan Sah, Son of Chait Sah,
4. Amod Prasad @ Amod Gond, Son of Mahajan Sah,
5. Dilip Sah, son of Sanghati Sah,
6. Amarjeet Sah @ Anarjeet Sah @ Indrajit Gond, Son of Mahajan Sah, All
resident of Village- Shyampur, P.S.- Unchkagaon, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Sahni

For the Opposite Party/s : Mr. Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 21-12-2017 Heard both sides.

The petitioners apprehend their arrest in Unchkagaon
P.S. Case No.118 of 2017 registered under Sections 302, 148, 149,
147 of the Indian Penal Code.

The informant alleged that she got information that her
father was injured and he was under treatment at P.M.C,
Unchkagaon. The informant went there and saw her father injured.
On inquiry, the father of the informant disclosed that Ajay Sah
assaulted him with farsa on his head and Dhananjay Sah assaulted
him with handle on his leg causing fracture injury. When the
informant fell down, Tara Devi, petitioner No.1, Amarjeet Sah,
petitioner No.6, Dilip Sah, petitioner No.5, Basanti Devi,



petitioner No.2, Mahajan Sah, petitioner No.3, Amod Prasad, petitioner No.4 brutally assaulted him with lathi. The doctor referred her father to Gorakhpur hospital for treatment.

The learned counsel for the petitioner submits that there is specific allegation of assault against Ajay Sah and Dhananjay Sah. No specific allegation of assault is made against the petitioner. Petitioner Nos.1 and 2 are ladies. Petitioner No.2, Basanti Devi was pregnant and she gave birth to a child on the date of occurrence i.e. 29.06.2017. Petitioner No.6, Amarjeet had gone abroad and he returned after the date of occurrence but from perusal of the case diary and the post-mortem report, it appears that the informant and other witnesses have made allegation that all the petitioners assaulted the deceased Ragho Sah and he fell down after having been assaulted by Ajay and Dhananjay. From the post-mortem report, it appears that the deceased got as many as six ante-mortem injuries all over his body.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners on bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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