

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42427 of 2017

Arising Out of PS.Case No. -231 Year- 2017 Thana -BAHERA District- DARBHANGA

- =====
1. Ramesh Sahani, Son of Ram Bilash Sahani,
 2. Shyam Sahani, Son of Ram Bilash Sahani,
 3. Fool Pari Devi, W/o Kamlesh Sahani,
 4. Rekha Devi, W/o Ramesh Sahani,
 5. Bhiva Devi, W/o Shyam Sahani,
 6. Bimla Devi, W/o Ram Bilash Sahani,

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha

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

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 20-09-2017 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Bahera P.S. Case No. 231 of 2017 registered under Sections
447, 341, 323, 324, 307 and 504/34 of the Indian Penal Code.

The accusation is that on making protest by the
informant to cut the branches of the Shisham tree, eight persons
named in the F.I.R. including the petitioners came at the door of
the informant and started to cause assault. At that time, Kamlesh
Sahani, gave axe blow at the head of informant. When, Raman
Yadav, Anita Devi and Sudha Devi, brother, wife and sister-in-law



of the informant, respectively, rushed to save him then Ramesh Sahani (petitioner no. 1) gave Farsa blow at the head of sister-in-law of the informant, in which, she sustained injury on her finger. In the meantime, Shayam Sahani (petitioner no. 2) caused injury to Raman Yadav, brother of informant, through iron rod. Thereafter, all accused caused injury to the informant and others through lathi and danda. In the meantime, Bimla Devi (petitioner no.6) and Kamlesh Yadav snatched gold chain from the neck of wife and sister-in-law of the informant.

Learned counsel for the petitioner submits that occurrence took place due to dispute of cutting the branches of Shesham tree, in which, petitioners' side also sustained injury, regarding which, Bahera P.S. Case No. 232 of 2017 is also instituted on the basis of written report of petitioner no.6. Moreover, the injuries, as found on the person of the informant and his sister-in-law, are simple in nature.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial



Magistrate, Benipur, Darbhanga in connection with Bahera P.S.
Case No. 231 of 2017, subject to the condition as laid down under
Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

U		T	
---	--	---	--

