

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.43991 of 2017**

Arising Out of PS.Case No. -168 Year- 2017 Thana -CHAUSA District- MADHEPURA

- =====
1. Bimla Devi, Wife of Murlidhar Sah
  2. Pintu Kumar Sah @ Pintu Kuma Sah @ Pintu Kumar, son of Murlidhar Sah Both Residents of Village+ P.O.+ P.S.- Chousa, District-Madhepura.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Amarnath Jha

For the Opposite Party/s : Mr. Md. Fahimuddin

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA**  
**ORAL ORDER**

2      19-09-2017                      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 Chousa P.S. Case No. 168 of 2017/ G.R. No. 695 of 2017 for the offences punishable under sections 341, 323, 307, 120 (B) and 34 of the I.P.C.

Allegedly, the petitioners and other co-accused assaulted the informant Chano Bhagat @ Chandradeo Bhagat with sword, spear, rod and knife and brought him into the courtyard of Chhanguri Sah and assaulted and after thinking that now he is dead went away after throwing him towards other side of the wall and thereafter the police brought him to the hospital from where



he was referred to some higher Centre.

Submission is of false implication and that this case is counter blast of Chousa P.S. Case No. 167 of 2017 wherein there is allegation against the informant to make an attempt to commit rape upon Sunita Devi wife of Sintu Kumar Sah and was caught and during course of fleeing away he fell down from the stair causing injury on his head and other parts of his body, vide Annexure-2, three injuries have been found on the person of the informant, vide Annexure-3, injury nos. 1 and 2 are simple and injury no.3 is grievous, vide Annexure- 3/1 and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes the prayer for pre-arrest bail of the petitioners but fairly submits that there is case and counter case.

In the facts and circumstances stated above, considering that earlier to this case Chousa P.S. Case No. 167 of 2017 has been lodged and as such the petitioners, in case of their arrest or surrender within a period of 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 S.D.J.M, Udakishunganj, District- Madhepura in connection with the



aforementioned case, subject to the condition as laid down under  
section 438 (2) of the Cr.P.C.

**(Jitendra Mohan Sharma, J)**

Abhay/-

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