

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1195 of 2017

Arising Out of PS.Case No. -21 Year- 2016 Thana -TARIYANI CHOWK District- SHEOHAR

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1. Sheonath Rai.
2. Shambhu Rai. Both Sons of Baijulal Rai. Both residents of Village - Jagdishpur, P.S.- Tariyani, District- Sheohar.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Devendra Kumar, Advocate.

For the Opposite Party : Mr. R.B. Roy, 'Raman', A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 16-01-2017 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Tariyani P.S. Case No. 21 of 2016 for the offences instituted under Sections 323, 324, 341, 307, 379 and 504/34 of the IPC.

The prosecution story, in brief, is that on the order of co-accused Kailash Rai, petitioners and other co-accused abused and assaulted the informant with Lathi and Danda with regard to grazing the crops by the cow of the informant. Petitioner no. 1 assaulted him with Farsa on his head as a result of which, he became seriously injured and fell down and other accused assaulted him with Lathi and Danda. When the informant's father came to rescue him he was also assaulted by petitioner no. 2 with



Farsa on his head. The informant and his father were admitted to the hospital.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. They have falsely been implicated in the present case. It is a case and counter case between the parties. From perusal of the order of the learned Sessions Court, it appears that the matter has already been compromised between the parties. The nature of injury is said to be simple.

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, 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 in connection with Tariyani P.S. Case No. 21/2016 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Sheohar, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

