

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60343 of 2017

Arising Out of PS. Case No.-244 Year-2017 Thana- BARARI District- Katihar

Mulhai Sah, S/o Late Anandi Sah, R/o Madhubani, P.S.- Barari (Semapur),
District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Adv.
For the State : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-12-2017 Heard learned Counsels for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147/341/323/326/504 of the Indian Penal Code.

Prosecution case is that on 11.08.2017 when the informant was feeding her cattle, suddenly, all the FIR named accused persons came and started abusing the informant. On protest being made, the petitioner assaulted on her head by a brick. Thereafter, others assaulted with lathi and danda and when the son of the informant Vikash Kumar came to her rescue, then the petitioner assaulted on his head with a bamboo.

It is submitted by learned counsel for the petitioner that in the background of land dispute the accusation has been



levelled. Injury has been found to be simple in nature. There is counter version of the occurrence also, being Barari (Semapur) P.S. Case No. 243 of 2017 instituted under sections 341, 323,326, 379/34 of the Indian Penal Code. A statement has been made in paragraph no.3 of the petition that the petitioner has no criminal antecedent.

Considering the nature of accusation in the background of land dispute and statement made in paragraph no.3 of the petition that the petitioner has no criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-V, Katihar, in connection with Barari (Semapur) P.S. Case No.244 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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