

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52158 of 2018

Arising Out of PS. Case No.-207 Year-2018 Thana- GARKHA District- Saran

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1. Rameshwar Sah Son of Late Shivnath Sah
 2. Dharmendra Sah @ Dharmendra Kumar S/o Rameshwar Sah Both
Resident of Village-Vishambharpur, P.S.-Garkha, District-Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Pratap Singh

For the Opposite Party/s : Mr. Smt. Asha Kumari

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-10-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 324, 307, 354, 504 and 34 of the Indian Penal Code.

The prosecution case, in short, is that while the informant along with another was going towards orchard, the accused persons teased her and on protest, assaulted her. Another person came in rescue was also assaulted by them.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. There is a case and counter case between the



parties. Both the parties are co-villagers. There is general and omnibus allegation levelled against the petitioners. The nature of injury is said to be simple. Hence, no offence under Section 307 IPC is made out.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge -cum- Special Judge, POCSO, Saran at Chapra in connection with Garkha P.S. Case No. 207 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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