

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15651 of 2018

Arising Out of PS. Case No.-145 Year-2017 Thana- PAHARPUR District- East Champaran

1. Hiranman Sah, Son of Late Jhabu Sah,
2. Mukund Sah, Son of Late Mathura Sah.
3. Pappu Sah, son of Lalbabu Sah @ Lal Bahadur Sah.
4. Durga Sah, Son of Ramchandra Sah @ Rai Chandra Sah. All resident of Village- Sataha Katchahari Tola, P.S. Paharpur, District- East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 06-04-2018 Heard the learned counsels for the petitioners and the State.

The petitioners seek bail in anticipation of their arrest in connection with Paharpur P.S. Case No. 145 of 2017 dated 22.05.2017 instituted for the offences under Sections 147, 148, 149, 341, 323, 307, 379 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

The petitioners are alleged to have assaulted the informant and two of the petitioners are also alleged to have taken away Rs. 3500/- from the possession of the informant.

One Jitan Sah, a co-accused is alleged to have



given a farsa blow on the head of the informant whereas others are only alleged to have used hard blunt substances for injuring the informant.

Learned counsel for the petitioners however has submitted that because of a dispute over possession of Gair Mazarua Land and construction of a thatched house, a dispute arose in which both sides fought amongst each other. With respect of the assault on the side of the accused persons, the petitioner no. 1 has also lodged a case vide Paharpur P.S. Case No. 144 of 2017. So far as the petitioners are concerned, they are not alleged to have used any sharp/pointed weapon and there is a general and omnibus allegation against all of them of having assaulted the informant. The injuries suffered by the informant also appears to be simple in nature.

The petitioners do not have any criminal antecedent.

Considering the facts aforesaid the petitioners above named are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial



Magistrate, Motihari (East Champaran) in connection
with Paharpur P.S. Case No. 145 of 2017, subject to the
conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

krishna/-

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

