

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7252 of 2018

Arising Out of PS.Case No. -328 Year- 2017 Thana -BAIRIYA District-
WESTCHAMPARAN(BETTIAH)

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1. Sukhdeo Sah, S/o Late Jagdish Sah,
2. Rajan Kumar @ Rajan Sah S/o Sukhdeo Sah,
3. Raj Kumar Sah S/o Sukhdeo Sah,
4. Bhikhu Sah S/o Chandra Deo Sah,
All are R/o Village- Tadhwanandpur, Tola Dihi, P.S.- Bairiya, District-
West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Sri Anil Kumar, APP

For the Informant : Mr. Sachida Nand Rai, Av.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 20-02-2018 Heard learned counsel for the petitioners and learned
counsel for the informant as well as learned APP for the State.

The petitioners apprehend their arrest in connection
with Bairiya P.S. Case No.328 of 2017 registered under Sections
147, 149, 323, 324, 307, 354(B) and 504 of the Indian Penal Code.

Learned counsel for the petitioners submits that so
far as the petitioner nos. 1 and 3 are concerned, there is no



allegation against them of causing any assault. Allegation of assault is there only against petitioner nos.2 and 4.

Learned counsel for the State is present and submits that so far as petitioner nos.2 and 4 are concerned, one of them has given repeated blow on the head of the injured Om Prakash Kumar and then petitioner no.2 had also caused injury on the vital part of the body.

Considering the nature of allegations particularly that there is no specific allegation of assault against petitioner nos.1 and 3, I am inclined to grant anticipatory bail to them. In the event of their arrest/surrender before the court below within four weeks, let the above named petitioner nos. 1 and 3 be enlarged on bail on furnishing bail bonds of Rs. 15,000/- (fifteen thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran, in connection with Bairiya P.S. Case No.328 of 2017, subject to condition laid down under Section 438 (2) of the Code of Criminal Procedure.

So far as the petitioner nos.2 and 4 are concerned, considering the fact that they have assaulted the injured on his vital part of body, I am not inclined to grant anticipatory bail to them.



The application as regards petitioner nos.2 and 4
sands dismissed.

(Rajeev Ranjan Prasad, J)

Arvind/-

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