

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.54986 of 2017**

Arising Out of PS.Case No. -105 Year- 2017 Thana -SHEIKHOPUR SARAI District- SEKHPURA  
=====

1. Hiralal Sao, Son of Chand Sao alias Shrichand Sao,
2. Sarswati Devi @ Sarsawti Devi, Wife of Hiralal Sao,
3. Vimlesh Kumar alias Bimlesh Kumar, Son of Hiralal Sao, All resident of Village- Shekhopur Sarai, P.S.- Shekhopur Sarai, District-Shekhpora.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s  
=====

**Appearance :**

For the Petitioner/s : Mr. Jitendra Narain Sinha

For the Opposite Party/s : Mr. Awadhesh Kumar Singh  
=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA**

**ORAL ORDER**

3      15-01-2018                      Heard the learned counsel for the petitioners, the learned A.P.P. for the State as also the learned counsel for the Informant.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Shekhopur Sarai P.S. Case No. 105 of 2017 for the offences punishable under sections 341, 323, 307, 379 and 504/34 of the I.P.C.

Allegedly, the petitioners were breaking the lock of the shop and when the informant forbade the petitioner no.1 assaulted the informant with iron khanti on his head and further petitioner no.1 took out Rs. 5,000/- from his pocket, petitioner



no.2 assaulted Veena Devi on her head causing injury and snatched gold chain, petitioner no.3 assaulted Nitish Kumar on his head causing injury and further Nitish Kumar was assaulted by petitioner no.3 and Punam Devi and the intention of all the four accused was to commit murder and to commit loot in the shop but due to assemblance of nearby person they were saved.

Submission is of false implication and that there is case and counter case, the petitioners have got no criminal antecedents, the informant and petitioner no.1 are full brothers and the informant filed the case only to save his skin from Complaint Case No. 405 C of 2017, FIR has been lodged after delay and as such the petitioners deserve sympathetic consideration as all the injuries caused by three injured have been found simple in nature.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for pre-arrest bail of the petitioners by submitting that over vital part of the three injured the injuries have been caused.

In the facts and circumstances stated above, considering that all the injuries caused on the person of the injured have been found simple in nature and as such the petitioners, in case of their arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, shall be



released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M-1st, Sheikhpura in connection with the aforementioned case, subject to the condition as laid down under section 438 (2) of the Cr.P.C.

**(Jitendra Mohan Sharma, J)**

Abhay/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

