

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.58355 of 2018

Arising Out of PS.Case No. -37 Year- 2018 Thana -HATHAURI District- SAMASTIPUR

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- 1. Chandar Devi, w/o Makaru Mandal
 - 2. Srita Kumari @ Sarita Devi, w/o Sanjay Kumar Resident of Village Dahiyar, Shivajee Nagar, P.S. - Hathouri, Dist. Samastipur.
 - 3. Kusama Sevi @ Satyabati Devi @ Kusamee Devi, w/o Lalkant Mandal Resident of village Phatepur, P.S. Rosera, Dist. Samastipur.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mrs. Mira Kumari, Advocate.

For the Opposite Party : Mr. Surendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-09-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 147, 149, 307, 323, 341, 504 and 506 of the IPC. Later on Section 302 of the IPC was also added.

The prosecution story, in brief, is that the petitioners alongwith co-accused Shatrughan Kumar assaulted the informant Shankar Mandal with *Lathi*. The informant sustained injuries on his head. The accused persons also assaulted Ramu Mandal and Shrawan Mandal with intention to kill them. On hulla, villagers



came and saved them. Informant as well as other injured persons were brought to *Baheri Hospital* for treatment. Injured Ramu Mandal was referred to D.M.C. for better treatment.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. It is case and counter case between the parties. The alleged occurrence is said to have taken place due to petty reason. Both sides are said to have injured due to free fight. Injuries on the side of the petitioners have not been explained by the prosecution. Earlier a case was instituted for an offence under Section 307 of the IPC. Later on, in course of treatment, the deceased is said to have succumbed to injuries.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or 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 the learned A.C.J.M.-IInd, Rosera, Samastipur, in connection with Hathouri P.S. Case No.



37/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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