

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64371 of 2018

Arising Out of PS. Case No.-595 Year-2018 Thana- SAHARSA District- Saharsa

-
1. Ghanshyam Sah S/o Late Lal Mohar Sah,
2. Domni Devi W/o-Ghanshyam Sah.
All Resident of Vill-Amarpur, P.s.-Sonbarsha Kachahari, Distt-Sharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Giri
For the Opposite Party/s : Mr. Sri Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 07-12-2018 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor.

Both the parties are full brothers and a dispute arose over partition whereupon both the parties quarrelled, case and counter case has been instituted at both ends. So far petitioner no.1 Ghanshyam Sah is concerned, there happens to be no specific allegation while petitioner no.2 carries an allegation to have assaulted Manisha Kumari over his head by bamboo, simple in nature.

Accordingly, petitioners Ghanshyam Sah, Domni Devi are directed to be released on bail in the event of his arrest /surrender before the learned lower court within four weeks on furnishing bail bonds of Rs.10,000/-(ten thousand) each with two sureties of the like amount each, to the



satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Saharsa Sadar (Sonbarsha Kachahari) P.S. Case No. 595/2018 in terms of condition as laid down under Section 438(2) Cr.P.C.

The order impugned will be guided by the final adjudication of Sushila Aggarwal & Ors. vs. State (NCT of Delhi) & Anr. referred to constitution bench as reported in (2018) 7 SCC 731.

(Aditya Kumar Trivedi, J.)

Prakash Narayan

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

