

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53590 of 2018

Arising Out of PS. Case No.-328 Year-2012 Thana- JOGAPATTI District- West Champaran

1. Raktu Sah, Son of Kishnath Sah.
2. Laloo Sah, Son of Kishnath Sah.
3. Naresh Sah, Son of Kishnath Sah.
4. Sanjay Sah, Son of Sahdeo Sah, All are resident of village- Machhargawa, Police Station- Yogapatti, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7
For the Opposite Party/s : Mr. Sri Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 11-12-2018 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Trial No. 1350 of 2017 arising out of Yogapatti P.S. Case No. 328 of 2012 registered under Sections 147, 149, 341, 323, 308 and 504 of the Indian Penal Code.

The accusation is that 10 persons named in the F.I.R. including the petitioner reached at the door of the informant and made demand of Rs.5000/- saying about much earning of the informant. When the informant made protest then on the order of Raktu Sah (petitioner no. 1), Sanjay Sah (petitioner no.4) gave Farsa blow at the head of the informant and Sambhu Sah gave lathi blow at



the leg of the informant. In the meantime, Raktu Sah (petitioner no.1) snatched the gold chain from the neck of the informant whereas Brij Lal Sah took cash of Rs.87,00/-. When the brother of the informant rushed to save him then he was also assaulted.

Learned counsel for the petitioners submits that occurrence took place due to petty dispute, in which, petitioners' side also sustained injury, regarding which, Yogapatti P.S. Case No. 329 of 2012 is also instituted against the informant and others on the basis of written report of petitioner no.1. Further submissions is that the injuries, as found on the person of the informant, are simple in nature.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-VI, Bettiah, West Champaran, in connection with Trial No. 1350 of 2017 arising out of Yogapatti P.S. Case No. 328 of 2012, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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