

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30784 of 2018

Arising Out of PS. Case No.-225 Year-2017 Thana- BAHERI District- Darbhanga

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1. Janki Devi, W/o- Satyanarayan Sahu
 2. Bipin Kumar Sahu, S/o- Satyanarayan Sahu
 3. Satyanarayan Sahu, S/o- Late Ram Bilash Sahu, All Residents of Village- Matgan, P.S. Baheri, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Roy
For the Opposite Party/s : Mr. Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-05-2018 Heard learned counsels for the petitioners and State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 324, 354 and 504 of the IPC.

The prosecution case, as per the written report of Sarmila Devi, submitted to the Station House Officer, Baheri Police Station, is to the effect that on 17.10.2017 at 5 P.M. the informant was returning from the temple in the meantime, petitioner no. 1, Janki Devi, petitioner no. 2, Bipin Kumar Sahu and petitioner no. 3, Satyanarayan Sahu were standing there. When the informant reached near them, petitioner no. 1, Janki Devi assaulted with sharp cutting weapon (Dabiya) on the head of the informant causing cut injury. Thereafter the petitioner no.



2, Bipin Kumar Sahu and petitioner no. 3, Satyanarayan Sahu, after catching her hair pulled her down on the earth and tore her clothes.

On alarm being raised, the husband and two daughters of the informant came to rescue, then co-accused Umesh Sahu, Rajkumar Sahu, Ganesh Sahu, Sita Devi and Ranju Devi came armed with iron rod and started assaulting the husband and daughters of the informant, when the informant and her family members were brought to the Primary Health Centre, Baheri then the accused persons attacked and assaulted the informant and his family members there also.

It is submitted by learned counsel for the petitioners that for the occurrence of 17.10.2017, the written report was submitted on 05.11.2017, which reached to the Court of learned ACJM on 08.11.2017. The informant has virtually received only one sharp cut injury on the frontal part of the head, but that too, has been found to be simple in nature. There is counter version of the occurrence also and the informant's side also received injuries.

Learned APP submits that the petitioners are named in the FIR.

Considering the delayed lodging of the FIR and its



reaching to the Court and the accusation being not corroborated with the medical opinion, coupled with statement made in paragraph no.3 of the petition, that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned ACJM-IX, Darbhanga in connection with Baheri P.S. Case No. 225 of 2017, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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