

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.61840 of 2017

Arising Out of PS.Case No. -316 Year- 2017 Thana -CHANPATIA District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Prem Ram @ Prema Ram, S/o Mahadeo Ram,
 2. Lalita Devi W/o Rudal Ram,
 3. Usha Devi W/o Prem Ram,
 4. Jata Shankar Ram S/o Ram Chandra Ram, All R/o Village- Hariharpur
Pakarihar, P.S.- Chanpatia, District- West Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Shiv Kumar Dwivedy, Advocate.

For the Opposite Party : Mr. Nand Kishore Pd, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 18-01-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 147, 148, 149, 323, 324,
325, 307, 427, 354(B), 504 of the IPC and 37 and 37(A) of the
Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that on 30.08.2017
due to election, the petitioners and others assaulted the father of
the informant with Lathi, Fatha and Sword causing head injury.
They also assaulted the brother, sister and mother of the informant
and took Rs. 5,000/- and golden ear-ring. The police found co-
accused Ramrekha Ram in drunken state.



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. The petitioners have falsely been implicated in the present case. The alleged incident is said to have taken place in connection with Panchayat Election. As per the injury report, the nature of injury is said to be simple. Hence, no offence under Section 307 of the IPC is made out.

On behalf of the State, it is 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 Special Judge, Excise, Bettiah, West Champaran, in connection with Chanpatia P.S. Case No. 316 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

