

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22143 of 2018

Arising Out of PS.Case No. -1051 Year- 2017 Thana -SAHARSA District- SAHARSA

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1. Raja Kumar @ Ganesh Kumar, Son of Chandra Kishore Sah.
2. Rinku Kumari, D/o Chandra Kishore Sah.
3. Santosh Sah, Son of Prakash Sah.
4. Nitu Devi, D/o Chandra Kishore Sah. All are Resident of Village- Naya Bazar, Ward No. 3, P.S. + District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma

For the Opposite Party/s : Mr. Sri Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 16-05-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Saharsa P.S.Case nO.1051 of 2017 , registered for offences punishable under Sections 341, 323, 354, 379, 504, 506, 308, 316 and 34 of the Indian Penal Code.

Allegation against the petitioner no.1 is of assault to the informant and other accused persons and petitioners is of assault to the informant causing injury to her.

submission of the learned counsel for the petitioner is that against the petitioner no.1 there is allegation of assault by fists and slaps and against others, there is allegation of assault by stick and injuries are found to be simple. It is alleged that due to assault, she suffered of miscarriage of two months old pregnancy but old



foetus has been found.

Heard learned A.P.P., who has opposed the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Saharsa Sadar P.S.Case no.1051 of 2017 in connection with C.J.M., Saharsa subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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