

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12501 of 2018

Arising Out of PS. Case No.-249 Year-2016 Thana- PAHARPUR District- East Champaran

1. Malti Devi, W/o Hiralal Thakur
2. Santosh Thakur, S/o Hiralal Thakur, Both are resident of Village- Siswa (Maldahia), P.S. Paharpur, District- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav (APP)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 28-02-2018 Heard learned counsel for the petitioners and learned counsel representing the State.

The petitioners apprehend their arrest in connection with Paharpur P.S. Case No. 249 of 2016, registered for the offences punishable under Sections 341, 323, 324, 325, 307, 504/34 of the Indian Penal Code.

Allegedly, the petitioners and co-accused entered into the house of the informant and accused Satish Thakur assaulted the wife of the informant with farsa causing head injury. The petitioner Santosh assaulted with lathi causing fracture of left leg and also assaulted on his right hand and when Niranjana Kumar came for rescue he was also assaulted by all,



the accused persons took away Rs. 10,000/- and ornaments worth of Rs. 50,000/-.

Submission is of false implication and that there is no allegation against the petitioner Santosh Thakur to have assaulted on vital part. The allegation of theft is super addition, nothing has been recovered from the house of the petitioners. Against the petitioner no.1 there is no allegation and, as such, the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, the petitioners in the event of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail 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, Motihari, in connection with Paharpur P.S. Case No. 249 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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