

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34376 of 2018

Arising Out of PS.Case No. -254 Year- 2017 Thana -BAIKUNTHPUR District- GOPALGANJ

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1. Rameshwar Sah son of Jaleshwar Sah
2. Upendra Sah son of Rameshwar Sah
3. Krishna Sah son of Chhabila Sah All resident of Village- Hamidpur, P.S. Baikunthpur, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 29-06-2018 Heard both sides.

The petitioners apprehend their arrest in Baikunthpur P.S. Case No.254/2017 registered under Sections 147, 504, 324, 323, 307 and 354B of the Indian Penal Code and Section 4 of Witch Practice Act.

The complainant named the petitioners along with 8 others and alleged that Rameshwar Sah assaulted her with farsha on head. When her husband and son came to save, the accused persons also assaulted them with sticks. Krishna Sah assaulted her husband with iron rod on his head.

Learned counsel for the petitioners submits that prior to the institution of the present case, the petitioner no.1 lodged



Baikunthpur P.S. Case No.251 of 2017 against the husband of the complainant and others and in order to create defence, the present case has been filed. The injury found on the person of Urmila Devi is superficial in nature.

Considering the aforesaid fact and the fact that there is a case and counter case between the parties and the injury found on the person of Urmila Devi is superficial in nature, the petitioners above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Niraj Kumar Pandey, Judicial Magistrate 1st Class, Gopalganj, in connection with Baikunthpur P.S. Case No.254/2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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