

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51535 of 2018

Arising Out of PS. Case No.-441 Year-2017 Thana- HARSIDHI District- East Champaran

1. Rambabu Sah @ Rambabu Sahi,
2. Kashilal Sah @ Kashilal Kumar Both sons of Ramjee Sah,
3. Omprakash Sah son of Prabhu Sah,
4. Chandan Kumar, son of Chandrika Sah, All residents of Village-
Bangaha, P.S.- Harsidhi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
For the Opposite Party/s : Mr. Sri Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-09-2018 Heard learned counsel for the petitioners and learned APP for
the State.

The petitioners are apprehending their arrest in a case registered under Sections 147, 148, 149, 448, 323, 324, 307, 379, 506 of the Indian Penal Code.

The prosecution case, in short, is that while the father and brother of the informant went to field, in the meantime, accused persons came at the door of the informant and assaulted him due to which he sustained injury.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. It is submitted that Chandrika Sah and Prabhu Sah assaulted Bhola Sah. Hiralal Sah



is said to have assaulted Asmod Kumar. As far as the petitioners are concerned, they are said to have assaulted Gopal Kumar and Balkeshi Devi. It is further submitted that as far as the injury of Gopal Kumar and Balkeshi Devi are concerned, the same is not on record to indicate whether an offence under section 307 IPC is made out or not. The police after investigation submitted final form against the petitioners. Later on, the Court below differed with the police report and took cognizance.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/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 Sri Praduman Kumar, Judicial Magistrate, 1st Class, East Champaran at Motihari in connection with Harsidhi P.S. Case No. 441 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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