

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62426 of 2018

Arising Out of PS. Case No.-402 Year-2017 Thana- GHORASAHAN District- East
Champaran

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1. Daya Shankar Sah Son of Rameshwar Sah
 2. Mantu Sah@ Mantu Kumar@ Sah son of Daya Shankar Sah
 3. Prince Kumar Son of Daya Shankar Sah All are Resident of
Village- Dhun Nagar, P.S. Ghorasahan, District- East
Champaran.;

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh
For the Opposite Party/s : Mr. Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 29-10-2018 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, 341, 323, 324, 307,
379, 504, 506 of the Indian Penal Code.

Allegation is that the accused persons including the
petitioners assaulted the informant by farsa, garasi, axe, iron
rod, due to which the informant sustained injuries.

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. The petitioners have falsely been implicated in the



present case. It is a case and counter case between the parties. The nature of injury is said to be simple, which is evident from the order of the Sessions Court itself. Hence, no offence under Section 307 of the I.P.C. is made out. Rest of the offences are triable by the Magistrate.

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/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) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Dhaka, East Champaran, Motihari in connection with Ghorasahan P.S. case No.402 of 2017, G.R. No.1034 of 2017 and Trial No.2653 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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