

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60089 of 2018

Arising Out of PS.Case No. -316 Year- 2017 Thana -PAHARPUR District- EASTCHAMPARAN
(MOTIHARI)

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1. MANISH SAH @ MANIB SAH @ MUNIB SAH @ MUNIL SAH,
2. Dharmendra Sah @ Dharmendra Sah, Both are Sons of Vishwanath Sah,
R/o Vill.- Kamaal Pipra, P.S.- Paharpur, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Sri Nityanand

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 11-10-2018 Heard learned counsel for the petitioners, the informant
and the learned A.P.P. for the State.

The petitioners seek bail in Paharpur P.S. Case No.
316/2017, instituted for the offences under Sections 147, 149, 341,
323, 324, 307, 379 and 504 of the Indian Penal Code.

In the written report, there is specific allegation against
petitioner no. 1 of assaulting the brother of informant with Farsa
causing injury on his head due to which he fell down. Thereafter
petitioner no. 1 gave another Farsa blow to the brother of
informant. When son of Ramchandra Sah (brother of informant)
came to save his father, he was assaulted by Petitioner no. 2
causing serious injury on his head.



Learned counsel for the petitioners has submitted that there is case and counter case between the parties.

Injury report of Ramchandra Sah and Prabhat Kumar has been enclosed as Annexures 4 and 5, from which it appears that Ramchandra Sah has sustained two injuries, which are opined to be grievous in nature. From the injury report of Prabhat Kumar, it appears that he has also sustained grievous injury on his head.

Learned counsel for the petitioner has submitted that in the written report there is allegation of assaulting with *Farsa* to the brother of informant, but in the injury report, doctor has opined injury caused by hard and blunt substance.

Learned counsel for the informant has opposed the prayer of bail of petitioners. He has submitted that there is specific allegation against the petitioners. Both the injured have sustained grievous injury on their person.

In view of such, this Court is not inclined to grant bail to petitioners at this stage. Accordingly, prayer for bail of petitioners is rejected.

Petitioners are given liberty to renew their prayer for bail after framing of charge.

(Sanjay Priya, J.)

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